

By Mr. HENRY of Connecticut: A resolution (H. Res. 379) to pay to Thomas F. Tracy the salary of a messenger—to the Committee on Accounts.

By Mr. CRUMPACKER: A resolution (H. Res. 381) to pay William A. Forbes for extra services—to the Committee on Accounts.

By Mr. ALLEN of Maine: A resolution (H. Res. 382) to pay William H. Smith \$600 for extra services—to the Committee on Accounts.

By Mr. BULL: A resolution (H. Res. 383) providing for the preservation of the flag of the United States presented to the House of Representatives by the Women's Silk Culture Association of the United States—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 13774) granting increase of pension to Mary J. Clark—to the Committee on Pensions.

By Mr. JENKINS: A bill (H. R. 13775) granting an increase of pension to Christopher Mossman—to the Committee on Pensions.

By Mr. WACHTER: A bill (H. R. 13776) authorizing and directing the Secretary of the Treasury to deliver to the mayor and city council of Baltimore, Md., Ionic columns—to the Committee on Public Buildings and Grounds.

By Mr. JAMES R. WILLIAMS: A bill (H. R. 13777) granting a pension to Lucy B. Bevis—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMSON: Petition of Mary J. Clark, of Chattahoochee County, Ga., widow of soldier of Indian wars, for increase of pension—to the Committee on Pensions.

By Mr. BABCOCK: Resolutions of Polish-Americans of Wisconsin, favoring passage of House bill No. 13295, for the erection of a monument to Count Casimir Pulaski—to the Committee on the Library.

By Mr. BOWERSOCK: Resolutions of the Board of Trade of Parsons, Kans., and Fort Scott Business Men's Club, of Fort Scott, Kans., favoring appropriation for Galveston Harbor—to the Committee on Rivers and Harbors.

By Mr. BROSIUS: Petition of the Lancaster branch of the Women's Indian Association of Pennsylvania, favoring provision for an adequate and permanent supply of water for the Pima and Papago Indians—to the Committee on Indian Affairs.

By CALDERHEAD: Resolutions of the National Wholesale Druggists' Association, opposing the free distribution of medicinal remedies—to the Committee on Agriculture.

Also, petition of J. F. Feis, in favor of a retirement fund from which to pension old Government employees—to the Committee on Reform in the Civil Service.

Also, petition of the Kansas State Good Roads Association, Topeka, Kans., favoring an appropriation for public highways—to the Committee on Agriculture.

Also, resolution of the Fort Scott Club Company, Fort Scott, Kans., and Board of Trade of Parsons, Kans., for the improvement of Galveston Harbor—to the Committee on Rivers and Harbors.

Also, resolutions of the Commercial Club of Topeka, Kans., protesting against diverting the water of the Arkansas River—to the Committee on the Public Lands.

Also, petition of the Merchants' Association of New York, favoring extension of the pneumatic tubular service in connection with the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

By Mr. CLAYTON: Petition of 1,000 Polish-American citizens of the United States for the erection of a monument to the memory of Count Casimir Pulaski, a hero of the American Revolutionary war—to the Committee on the Library.

Also, petition of W. H. Lacey and others of Brooklyn, N. Y., in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. COUSINS: Protests of Lamb Brothers and other citizens of Olin, Iowa, against the parcels-post system—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Iowa Academy of Science, Ames, Iowa, with reference to the national park and forest reserve at the head waters of the Mississippi, and the general policy of the United States with reference to forest reserves—to the Committee on the Public Lands.

By Mr. GRAHAM: Petition of the American Baking Powder Association, New York City, in favor of House bill No. 12973, known as the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Merchants' Association of New York, favoring continuance of postal tubular system—to the Committee on the Post-Office and Post-Roads.

Also, petition of Simon Lake, of New York City, in relation to plans for submarine torpedo boats for the United States Navy—to the Committee on Naval Affairs.

By Mr. GROUT: Petition of the Merchants' Association of New York, urging a sufficient appropriation to maintain and extend the postal tubular system in the city of New York—to the Committee on the Post-Office and Post-Roads.

By Mr. KETCHAM: Petition of Orthodox Friends' Church of Poughkeepsie, N. Y., favoring uniform marriage and divorce laws and certain other measures—to the Committee on the Judiciary.

By Mr. MAHON: Petition of Woman's Home Missionary Society of Huntingdon Presbytery, Pennsylvania, relative to an adequate and permanent supply of living water for irrigation purposes for the Pima and Papago Indians—to the Committee on Indian Affairs.

Also, petition of Rev. W. H. Decker and 200 citizens of Lewistown, Pa., in favor of ratification of treaty which aims at the banishment of the traffic in alcoholic liquors from a great part of the continent of Africa—to the Committee on Foreign Affairs.

By Mr. MANN: Protest of the Illinois Humane Society, Chicago, Ill., against the proposed extension of time in which cattle may be carried in cars without food or water—to the Committee on Interstate and Foreign Commerce.

By Mr. McCLEARY: Resolutions of Northwestern Manufacturers' Association of St. Paul, Minn., relative to internal-revenue taxes—to the Committee on Ways and Means.

By Mr. PACKER of Pennsylvania: Petition of Bethany Presbyterian Church, Williamsport, Pa., for the exclusion of intoxicants from all countries inhabited by native races—to the Committee on Foreign Affairs.

By Mr. PRINCE: Petition of the internal-revenue gaugers, storekeepers, etc., of the Fifth revenue district of Illinois, for sufficient appropriation to provide for their vacation without loss of pay—to the Committee on Appropriations.

By Mr. SCUDDER: Petitions of citizens of Queens County and Suffolk County, N. Y., urging the passage of a measure providing a permanent supply of live water for irrigation purposes for the Pima and Papago Indians in Arizona—to the Committee on Indian Affairs.

By Mr. SHATTUC: Papers to accompany House bill No. 3953, granting honorable certificates of discharge to certain officers and enlisted men of the United States volunteer service—to the Committee on Military Affairs.

By Mr. SPERRY: Papers to accompany House bill to amend section 4465, Title LII, of the Revised Statutes, relating to inspectors of hulls and boilers—to the Committee on the Merchant Marine and Fisheries.

By Mr. WEYMOUTH: Papers to accompany House bill No. 13751, for the removal of the charge of desertion against Patrick Hanigan, alias John Congren—to the Committee on Naval Affairs.

By Mr. WILLIAM E. WILLIAMS: Petitions of landowners in Greene County, Ill., to accompany House bill No. 9998, for the removal of Kampsville dam and for dredging of the Illinois River—to the Committee on Interstate and Foreign Commerce.

By Mr. ZIEGLER: Petition of 95 citizens of the Nineteenth Congressional district of Pennsylvania, favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

SENATE.

WEDNESDAY, January 23, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. RAWLINS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

BREAKWATER AT BURLINGTON, VT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a concurrent resolution of the 8th instant, a letter from the Acting Chief of Engineers, submitting the report of Col. J. W. Barlow, Corps of Engineers, on the present condition of the breakwater at Burlington, Vt.; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

LIST OF LOTS IN THE CITY OF WASHINGTON.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, together with a copy of a communication from Col. Theodore A. Bingham, the

officer in charge of public buildings and grounds, calling attention to certain errors in the list of lots in Washington, D. C., submitted May 21, 1898, etc.; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

EAST WASHINGTON HEIGHTS TRACTION RAILROAD.

The PRESIDENT pro tempore laid before the Senate the annual report of the East Washington Heights Traction Railroad Company for the fiscal year ended December 31, 1900; which was referred to the Committee on the District of Columbia, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House insists upon its amendments to the joint resolution (S. R. 142) to enable the Secretary of the Senate to pay the necessary expenses of the inaugural ceremonies of the President and Vice-President of the United States, March 4, 1901, disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CANNON, Mr. DALZELL, and Mr. McRAE managers at the conference on the part of the House.

The message also announced that the House insists upon its amendments to the bill (S. 1929) to provide for eliminating certain grade crossings on the line of the Baltimore and Potomac Railroad Company in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BABCOCK, Mr. PEARRE, and Mr. MEYER of Louisiana managers at the conference on the part of the House.

The message further announced that the House insists upon its amendments to the bill (S. 2329) to provide for eliminating certain grade crossings of railroads in the District of Columbia, to require and authorize the construction of new terminals and tracks for the Baltimore and Ohio Railroad Company in the city of Washington, and for other purposes; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BABCOCK, Mr. PEARRE, and Mr. MEYER of Louisiana managers at the conference on the part of the House.

The message also announced that the House had agreed to the concurrent resolution of the Senate calling for an estimate for deepening the channel of Curtis Bay, Baltimore Harbor, Maryland, and increasing the depth of the main ship channel of the Patapsco River and Baltimore Harbor.

The message further announced that the House had passed a bill (H. R. 1605) for the relief of William Cramp & Sons Ship and Engine Building Company, of Philadelphia, Pa.; in which it requested the concurrence of the Senate.

UTAH SENATORIAL ELECTION.

Mr. RAWLINS. Mr. President, I send to the Secretary's desk and ask to have read, and, after reading, for reference to the Committee on Privileges and Elections, two articles, one a dispatch to the Washington Post of this morning, the other an article in the Salt Lake Daily Tribune, a Republican organ in my State. As these matters relate to the privileges of the Senate and also to the dignity of the State which I represent, I ask that they be read.

Mr. CHANDLER. Mr. President, if those articles relate to the pending Senatorial election in Utah, I have no objection, as a matter of courtesy to the Senator, to have them referred to the Committee on Privileges and Elections, but I think I must object to having them offered and read. Do they concern the pending controversy in that legislature?

Mr. RAWLINS. I think the controversy is practically ended. They simply relate to a matter that I think ought to be called to the attention of the Senate, and I do not think the Senator will have any objection if he hears them.

Mr. CHANDLER. I have no objection to their being referred without reading, but I do not think the Senator should send up some newspaper articles about a Senatorial election and ask to have them read. If that is to be done, I shall take occasion to submit a great many papers and documents concerning the election in Montana. It does not seem to me to be a proper way in which to get these facts before the Senate. If the Senator has any memorial, or any petition, or any averment of his own, which he wishes to make himself responsible for, that is entirely proper, but it does seem to me that a Senator ought not to send up newspaper articles and have them read and incorporated in the proceedings of the Senate, and referred to the committee.

Mr. RAWLINS. Mr. President, I present these articles because it is a matter that I think relates to the honor and privileges of the Senate and of the State which I have the honor to represent, and in presenting them I do it upon my own responsibility to the ex-

tent of inviting the attention of the Senate to the seriousness of the charges which are made.

Mr. CHANDLER. Will the Senator kindly state what is the purport of these newspaper articles?

Mr. RAWLINS. I prefer that the articles shall be read. They will disclose it.

Mr. CHANDLER. I understand there was a caucus nomination yesterday by one political party, perhaps by both political parties, and there is likely to be an election to-day. Here are newspaper articles and telegraphic communications, and it is not, it seems to me, becoming for the Senate of the United States to take notice of what is going on in a State while it is going on. After it is over I should not object to any reasonable characterization of what has been done or any request for an investigation made by any Senator, but it does appear to me that I ought to require a vote of the Senate before these papers are read.

The PRESIDENT pro tempore. Objection is made. The question is, Shall the papers be read? [Putting the question.] By the sound, the noes have it. The noes have it. The Senate rejects the reading of the papers.

Mr. RAWLINS. Mr. President, I ask the Secretary to return the papers to me.

The PRESIDENT pro tempore. Petitions and memorials are in order.

Mr. TELLER. I present a petition—

Mr. RAWLINS. The Senator asked me to make a statement. The PRESIDENT pro tempore. Is there objection?

Mr. LODGE. What is the order?

The PRESIDENT pro tempore. The order of business is the presentation of petitions and memorials.

Mr. CHANDLER. What is the request of the Senator from Utah?

The PRESIDENT pro tempore. The Senator desires to make a statement.

Mr. CHANDLER. If it is a matter of personal privilege, I shall not object to it. If it is merely to recite newspaper articles about what is going on in Utah in regard to the election of a United States Senator, I object.

The PRESIDENT pro tempore. Objection being made, no statement is in order. Petitions and memorials are in order.

PETITIONS AND MEMORIALS.

Mr. TELLER presented petitions of sundry citizens of Denver, Colo., praying for the repeal of the revenue tax on mining stock; which were referred to the Committee on Finance.

He also presented a petition of the Chamber of Commerce of Denver, Colo., praying that an appropriation be made for continuing the irrigation investigations by the Department of Agriculture; which was referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also presented a petition of the Chamber of Commerce of Denver, Colo., and a petition of the Business Men's Association of Pueblo, Colo., praying for the extension of the Weather Bureau service; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Pueblo, Colo., and a petition of sundry citizens of Denver, Colo., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregations of sundry churches and religious organizations of University Park, Pueblo, Monument, Palmer Lake, Colorado City, Monte Vista, Denver, Lamar, Las Animas, Sterling, Hooper, Del Norte, and Gunnison, all in the State of Colorado, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in the Philippines, Porto Rico, and Cuba; which were referred to the Committee on the Philippines.

He also presented a petition of sundry citizens of Pueblo, Colo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which was ordered to lie on the table.

Mr. QUARLES presented a petition of the board of directors of the Chamber of Commerce of Milwaukee, Wis., praying for the establishment of a national park at the head waters of the Mississippi River, in the State of Minnesota; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Trades and Labor Assembly of West Superior, Wis., praying for the enactment of legislation to regulate the hours of daily labor of workmen and mechanics and also to protect free labor from prison competition; which was referred to the Committee on Education and Labor.

Mr. PERKINS presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying that an appropriation be made for the construction of the memorial bridge over the Potomac River in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of sundry dairymen of Freeport, Cal., praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Lithographers' State Association, No. 17, of San Francisco, Cal., praying for the repeal of the revenue tax on bank checks and drafts; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of California, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of California, praying for the enactment of legislation for the relief of Arthur L. Fish; which was referred to the Committee on Claims.

Mr. DANIEL presented the petition of J. H. Johnson, Robert Dennis, and sundry other citizens of Virginia, praying that an appropriation be made to deepen and improve the channel at the mouth of the York River; which was referred to the Committee on Commerce.

He also presented a petition of Columbia Lodge, No. 174, International Association of Machinists, of Washington, D. C., praying for the enactment of legislation to limit the hours of daily labor of workmen and mechanics and also to protect free labor from prison competition; which was referred to the Committee on Education and Labor.

Mr. FRYE presented the petition of C. M. Conant and 34 other citizens of Monroe, Me., praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Hance Bros. & White, of Philadelphia, Pa., praying for the repeal of the revenue tax on proprietary medicines; which was referred to the Committee on Agriculture and Forestry.

REPORT OF LIBRARIAN OF CONGRESS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the resolution reported by the Senator from Rhode Island [Mr. WETMORE] from the Committee on the Library, on the 15th instant, to report it without amendment, and I ask unanimous consent for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution; which was read, as follows:

Resolved, That there be printed 3,000 copies of the annual report of the Librarian of Congress, 1900, of which number 500 copies bound in cloth shall be for the use of the Senate, and for the use of the Librarian of Congress 1,500 copies in paper covers and 1,000 copies in cloth.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

UTAH SENATORIAL ELECTION.

Mr. RAWLINS. Mr. President, I desire to present, in view of what has occurred, this statement. I suppose I have a right to speak to the pending resolution.

Mr. CHANDLER. What is the pending resolution, Mr. President?

The PRESIDENT pro tempore. Reports of committees are the regular order.

Mr. ALLEN. Is not the resolution reported by the Senator from New York before the Senate?

The PRESIDENT pro tempore. The resolution was agreed to.

Mr. RAWLINS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah rise to a question of personal privilege?

Mr. RAWLINS. Yes; I will rise to a question of personal privilege.

Mr. CHANDLER. Before the Senator reads the articles to which I am objecting, he will kindly state the question of personal privilege.

Mr. RAWLINS. As I understand the situation, it is always a question of personal privilege if a matter which relates to the integrity of the Senate and every man in the Senate, and especially to the individual or to the State which an individual member of the Senate may represent; and in view of the statement which has been made by the Senator from New Hampshire, I now rise to a question of personal privilege.

Mr. CHANDLER. Mr. President, if the Senator will excuse me, I do not think he states a question of personal privilege. He says it is always a question of personal privilege with the Senator what is going on in his own State in connection with a Senatorial election. It seems to me that that is an attempt to expand far beyond the legitimate limits a question of personal privilege.

Mr. RAWLINS. Mr. President, I think I have the floor.

Mr. CHANDLER. I ask the ruling of the Chair. Before the Senator proceeds to read the papers which the Senate has voted shall not be read, I ask that the Senator shall state his question of personal privilege, and that the Chair shall say that it is a question of personal privilege.

Mr. RAWLINS. Mr. President, I have the floor.

The PRESIDENT pro tempore. As stated by the Senator from Utah, it is not a question of personal privilege, in the opinion of the Chair.

Mr. RAWLINS. I will state in substance, without reading, what I intended to present. There has been pending a Senatorial election in my State. The Republicans in the legislature have the majority; the Democrats are in the minority. The election relates to the question of filling an existing vacancy in the Senate. There have been much controversy and many charges as to the prevalence of polygamy and church domination in politics in my State. Those questions we have had to meet time and again here. The Salt Lake Tribune—

Mr. LODGE. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Massachusetts will state his parliamentary inquiry.

Mr. LODGE. I desire to know if a question of personal privilege has been disclosed.

The PRESIDENT pro tempore. In the opinion of the Chair it has not.

Mr. GALLINGER. Mr. President—

The PRESIDENT pro tempore. The Senator from New Hampshire.

REPORT OF COMMITTEES.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 5675) granting an increase of pension to Mary C. Holmes, to report it favorably without amendment. As this is an urgent case, and it will take but a moment to pass the bill, I ask for its immediate consideration.

The PRESIDENT pro tempore. The bill will be read for information.

The Secretary read the bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. ALLEN. I should like to have the bill read again.

The Secretary again read the bill.

Mr. ALLEN. Let the report be read.

Mr. GALLINGER. Let the bill go to the Calendar, Mr. President.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 5171) granting an increase of pension to Albert H. Fairchild, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 301) granting a pension to James T. Donaldson, jr.;

A bill (H. R. 11985) granting an increase of pension to Henry C. Brooks;

A bill (H. R. 7024) granting an increase of pension to Sarah Herriman;

A bill (H. R. 2816) granting a pension to Annie C. Collier;

A bill (H. R. 296) granting an increase of pension to Mattie Otis Dickinson; and

A bill (H. R. 1995) granting an increase of pension to Frederick O. Lathrop.

Mr. GALLINGER (for Mr. PRITCHARD), from the Committee on Pensions, to whom was referred the bill (H. R. 9928) granting an increase of pension to H. S. Reed, alias Daniel Hull, reported it with an amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the amendment submitted by Mr. MASON on the 4th instant, proposing to appropriate \$5,100 for paving Columbia road from Fourteenth street west, intended to be proposed by him to the District of Columbia appropriation bill, reported it without amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. MASON, from the Committee on Commerce, to whom was referred the bill (H. R. 428) to amend the law establishing a port of delivery at Des Moines, Iowa, reported it without amendment.

Mr. KYLE, from the Committee on Pensions, to whom was referred the bill (S. 2738) granting an increase of pension to James M. Munn, reported it with amendments, and submitted a report thereon.

He also, from the Committee on Education and Labor, to whom was referred the bill (S. 4150) to promote the circulation of reading matter among the blind, reported it with an amendment, and submitted a report thereon.

Mr. ALLEN, from the Committee on Pensions, to whom was referred the bill (H. R. 11927) granting a pension to Elizabeth Dickerson, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Claims, to whom was referred the bill (S. 3752) authorizing the Secretary of the Treasury to pay to the State of Nebraska certain moneys in liquidation of its

claims on account of suppressing Indian hostilities from 1861 to 1868, reported it without amendment, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 3391) granting a pension to John Black, reported it with amendments, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (S. 5272) granting an increase of pension to Thomas M. Wimer, reported it with amendments, and submitted a report thereon.

Mr. QUARLES, from the Committee on Pensions, to whom was referred the bill (H. R. 9165) granting an increase of pension to Horace L. Stiles, reported it without amendment, and submitted a report thereon.

Mr. BAKER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4217) granting an increase of pension to Michael Dignon;

A bill (H. R. 3436) granting an increase of pension to John Abel;

A bill (H. R. 7053) granting a pension to Addie S. Potter;

A bill (H. R. 6810) granting an increase of pension to Peter Anderson; and

A bill (H. R. 2092) granting an increase of pension to Madison McCollister.

Mr. BAKER, from the Committee on Pensions, to whom was referred the bill (H. R. 8263) granting a pension to Lula M. Jones, reported it with an amendment, and submitted a report thereon.

Mr. DEBOE, from the Committee on Pensions, to whom was referred the bill (H. R. 2527) granting a pension to David Briggs, reported it without amendment, and submitted a report thereon.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (H. R. 9595) to authorize the purchase of a steam launch for use in the customs collection district of Galveston, Tex., reported it without amendment.

BILLS INTRODUCED.

Mr. DANIEL (by request) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 5699) for the relief of the estate of Lewis Shumate, deceased;

A bill (S. 5700) for the relief of Charles A. Newlon;

A bill (S. 5701) for the relief of Mrs. Annie J. Bassett;

A bill (S. 5702) for the relief of the estate of Nathaniel Nash, deceased;

A bill (S. 5703) for the relief of the heirs of Eli Stake; and

A bill (S. 5704) for the relief of the heirs of Stephen D. Castleman.

Mr. GALLINGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 5705) to regulate the collection of taxes in the District of Columbia (with an accompanying paper); and

A bill (S. 5706) relating to licenses and taxes in the District of Columbia (with accompanying papers).

Mr. TELLER introduced a bill (S. 5707) granting an increase of pension to Elvira C. Compton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DILLINGHAM introduced a bill (S. 5708) granting an increase of pension to David N. Tolles; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BAKER introduced a bill (S. 5709) for the relief of R. W. Branson; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 5710) granting an increase of pension to Thomas E. Sauls; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MASON introduced a bill (S. 5711) to provide for the purchase of square bounded by Seventh and Eighth and D and E streets NW., in the District of Columbia, for a hall of records; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McCOMAS introduced a bill (S. 5712) to amend the Revised Statutes of the United States, relating to the carriage of refined petroleum; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. COCKRELL introduced a bill (S. 5713) granting a pension to Willis M. Sherwood; which was read twice by its title.

Mr. COCKRELL. I present the affidavit of Willis M. Sherwood, Company C, Fourth Regiment Missouri State Militia Volunteer Cavalry, together with the affidavits of Dr. W. J. Bell, John M. Armstrong, Thomas W. Evans, and a letter from Rev. Dr. Henry Bullard, together with one from the Pension Office. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 5714) granting an increase of pension to Perry B. Sibley; which was read twice by its title.

Mr. COCKRELL. I present the petition and affidavit of Capt. Perry B. Sibley, Company G, One hundred and fortieth New York Infantry, together with the claimant's military and hospital record and his record from the Pension Office, and also the affidavits of John M. Thomason, Josiah C. Gaston, and the affidavit of Dr. H. H. Taylor. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. SCOTT introduced a bill (S. 5715) granting a charter to the General Federation of Women's Clubs; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CAFFERY introduced a bill (S. 5716) for the relief of the heirs of James Billiu, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5717) to authorize the construction and to maintain a dam and wagon bridge across Twelve-mile Bayou, in the parish of Caddo, in the State of Louisiana; which was read twice by its title, and referred to the Committee on Commerce.

Mr. DANIEL introduced a bill (S. 5718) for the relief of Mrs. Annie J. Bassett; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. FORAKER introduced a bill (S. 5719) giving supervisory authority to the Secretary of the Interior over the public lands of Porto Rico, and directing that a survey of said lands be made; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

Mr. CHANDLER introduced a bill (S. 5720) for the relief of Julius A. Kaiser; which was read twice by its title, and referred to the Committee on Naval Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. McLAURIN submitted an amendment proposing to appropriate \$68,750 for procuring a suitable outlet of Lynchs River from Effingham Bridge to the Great Pedee, South Carolina, with a view of obtaining a channel 40 feet wide and 3 feet deep, intended to be proposed by him to the river and harbor appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. MONEY submitted an amendment providing for a preliminary examination and survey of Big Black River from the Alabama and Vicksburg Railway bridge to the mouth of the river, in the State of Mississippi, with a view to the improvement of the same, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. THURSTON submitted an amendment providing for an investigation, adjustment, and payment of the accounts between the Osage Indians and the licensed traders on the Osage Reservation, in Oklahoma Territory, intended to be proposed by him to the Indian appropriation bill; which was ordered to lie on the table, and be printed.

Mr. ELKINS submitted an amendment proposing to appropriate \$50,000 for completing the improvement of the two locks and dams between Louisa and the mouth of the Big Sandy River, West Virginia and Kentucky, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing an appropriation of \$150,000 for improving the Big Sandy River, West Virginia and Kentucky, including Tug and Louisa forks, and limiting the amount to be hereafter expended on the same to \$2,080,000, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. GALLINGER (for Mr. McMILLAN) submitted the following amendments, intended to be proposed to the District of Columbia appropriation bill; which were referred to the Committee on the District of Columbia, and ordered to be printed:

An amendment proposing to appropriate \$5,000 for completing the sidewalks and curbing on Albemarle street;

An amendment proposing to appropriate \$100,000 for improving Sixteenth street northward from its present terminus, to be available after the title to the lands necessary for the extension of said street shall have been vested in the Government;

An amendment proposing to appropriate \$16,500 for paving North Capitol street from R street northward;

An amendment proposing to appropriate \$25,000 for improving Connecticut avenue extended east of Rock Creek;

An amendment providing for the appointment of a stenographer at \$900 and two inspectors at \$720 each for the board of charities and corrections (with an accompanying paper);

An amendment transferring the management of the Freedmen's Hospital from the Secretary of the Interior to the Commissioners of the District of Columbia; and

An amendment proposing to appropriate \$25,000 for the purchase of a site in the District of Columbia for a municipal almshouse.

Mr. MASON submitted an amendment providing for a survey of the Ohio River between Mound City, Ill., to Cairo, Ill., with a view to ascertaining what improvement is desirable for the protection of the banks and levees on the Illinois side of said river, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. BARD submitted an amendment proposing to appropriate \$150,000 for continuing the improvement of the inner harbor at San Pedro, Cal., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. DANIEL submitted an amendment proposing to appropriate \$200,000 for a memorial bridge across the Potomac River to Arlington, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. FAIRBANKS submitted an amendment proposing to appropriate \$48,000 for improving the inner harbor at Michigan City, Ind., intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. DANIEL submitted an amendment proposing to use the unexpended balance of \$2,300 of the funds heretofore appropriated for the clearing out of the channel of New River, Va., near Radford, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. SHOUP submitted an amendment authorizing the Secretary of the Interior to approve the account of the surveyor-general of Idaho for the fractional quarter ending December 31, 1897, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. TELLER submitted an amendment authorizing the Secretary of the Interior to make an investigation as to the practicability of providing a water supply for irrigation purposes to be used on a portion of the reservation of the Southern Utes in Colorado, etc., intended to be proposed by him to the Indian appropriation bill; which was ordered to lie on the table and be printed.

INDIANS IN THE INDIAN TERRITORY.

Mr. JONES of Arkansas. I entered a motion yesterday to recommit to the Committee on Indian Affairs the bill (H. R. 8966) for the relief of certain Indians in the Indian Territory who desire to sell their lands and improvements and emigrate elsewhere. I entered the motion in the absence of the Senator from Kansas [Mr. BAKER]. As that Senator is now present, I ask that the motion be taken up. I call the attention of the Senator from Kansas to the motion. I presume there is no objection to it.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Arkansas to recommit the bill to the Committee on Indian Affairs.

The motion was agreed to.

A. MABINI.

Mr. PETTIGREW. I submit a resolution and ask for its immediate consideration.

The resolution was read, as follows:

Resolved, That the Secretary of War be, and is hereby, directed to inform the Senate whether A. Mabini, a citizen of the Philippine Islands, has been deported to Guam or any other place as a political prisoner, and if so, for what offense, together with all papers on file in relation to the matter.

Mr. SPOONER. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will go over under the rule.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. ALLISON. I move that the Senate proceed to the consideration of the legislative, executive, and judicial appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12391) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes, the pending question being on the amendment submitted by Mr. JONES of Arkansas, after line 2, page 126, to insert:

To authorize the Attorney-General to employ an additional assistant attorney to be assigned to represent the United States before committees of the Senate or House of Representatives upon the request of any such committee in relation to bills for the payment or allowance of claims against the United States, \$3,000. Records or minutes of the cases in which such attorney appears shall be kept in the Department of Justice, which shall show briefly the name of the claimant, amount of claim, and the facts on which the claim is based, with a memorandum of the defense of the Government against such claims, together with the action of Congress thereon.

Mr. CHANDLER. I offer an amendment to the amendment, which I ask to have read.

The PRESIDENT pro tempore. The Senator from New Hampshire offers an amendment to the amendment, which will be read.

The SECRETARY. It is proposed to add to the amendment:

Said assistant attorney shall be appointed by the President, by and with the advice and consent of the Senate.

Whenever any claim which said assistant attorney is called to defend by a committee of Congress relates to a subject-matter within the jurisdiction of any Department (except the Department of Justice) it shall be the duty of said attorney to call upon the head of that Department for the evidence within his Department in any way affecting such claim, and such evidence shall be furnished to such assistant by the head of the Department, who shall also detail from his Department some official or clerk to assist such assistant attorney in defending the claim, and to appear with him before the committee of Congress to guide and aid him in the effective performance of his duty. In no case shall such attorney advise the committee that a claim is just and should not be contested unless he produces and files with the committee a communication authorizing his action, signed by the head of the proper Department.

Such assistant attorney shall be assigned a room at the Capitol to be used as his office. He shall have a chief clerk, at a salary of \$2,250, 2 fourth-class clerks and 3 first-class clerks to enable him to conduct the business of his office properly and to make and preserve the records required by this act.

Mr. CHANDLER. Mr. President, it seems to me that the amendment offered by the Senator from Arkansas should either be withdrawn or rejected, or a point of order should be made upon it. But if this officer is to be constituted as the Congressional claims assistant attorney-general, he should have an adequate support in the performance of his duty. He should certainly be so limited that he will be obliged to call to his assistance the heads of the Departments wherein the various claims originate. The amendment which I propose simply serves to limit him in his power so that the Government shall not be deprived of the assistance of the heads of the Departments wherein the claims originate in making this defense and gives to this official the force which he certainly needs for the performance of his duty.

Mr. STEWART. Will the Senator allow me to interrupt him?

Mr. CHANDLER. Either that amendment ought to be adopted or this amendment ought to be adopted—

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Nevada?

Mr. CHANDLER. Certainly.

Mr. STEWART. The committees have had no idea of being deprived of the assistance of the Departments. The committees themselves send all claims bills to the Departments when there is anything to be had there. They do not want any attorney to help them to do that, but there are a great many things outside of what appear in the record. A digest of the record can be made and the defense of the Government set up by this officer.

Mr. CHANDLER. The Senator understands very well my point. This is taking the responsibility off the heads of Departments, and in order that the responsibility may not be taken from the heads of the Departments I think the amendment should be withdrawn or defeated. But if it is to be adopted, then let us deal squarely with what we are about to create. If my amendment to the amendment is not adopted, then I shall offer this amendment:

To enable the heads of the State, War, Navy, Treasury, Interior, and Post-Office Departments each in like manner to employ an assistant attorney to represent the United States before committees of Congress when requested to do so concerning claims growing out of matters within the jurisdiction of his Department, the sum of \$18,000.

It seems to me, if this business is to be originated, that that would be better than to undertake to deprive the Departments of the performance of this duty. If we are to have regularly constituted in the executive branch of the Government attorneys whose business it is to come here and appear before Congressional committees and advise the committees as to the validity of claims—advise the committees that claims are bad ones or that claims are good ones—it seems to me we should have an attorney of that sort in every Department of the Government where claims originate.

I do, therefore, insist that if this extraordinary departure is to be taken we shall either make this official a strong and amply assisted official, bound to communicate with each of the Departments, or else that we shall create an attorney of this character in every one of the great Departments of the Government.

Mr. RAWLINS. Mr. President, I was somewhat surprised at the objection which the Senator from New Hampshire interposed to my having read to the Senate the articles from the newspapers to which I referred. In presenting them to the Senate I had no partisan purpose in view, but it seems to me that the articles are of such a nature that they ought to be presented for consideration in order that the Senate may be in a position to protect itself, its honor, and its dignity. I invite the attention of the Senate to the following article published in the Salt Lake Tribune of last Sunday morning, January 20, 1901. The article is as follows:

DEAL WITH THE CHURCH—AUTHORITIES SAID TO HAVE ORDERED THE ELECTION OF THOMAS KEARNS TO THE UNITED STATES SENATE—IT IS POSITIVELY CHARGED THAT, AS A PART OF THE TRADE BY WHICH SALT LAKE AND THE RAILROAD RUNNING TO THE RESORT ARE TO BECOME THE PROPERTY OF THE NEW LOS ANGELES COMPANY, CHURCH OFFICIALS ARE TO PROMOTE THE ELECTION OF ONE OF ITS DIRECTORS.

To-morrow night's Republican caucus may, or it may not, decide the Senatorial question. The time and nature of the settlement depends upon the attitude of the members with regard to the latest aspect of the controversy.

It is charged positively, upon the authority of men whose knowledge of the facts can not be questioned, that the Mormon Church, or at least the highest authorities therein, have ordered the election of Thomas Kearns. Whether or not the order can be carried into effect remains to be seen. It is a significant fact that many of the Republican Mormon members have been called to the church offices for a purpose which may have included the giving of instructions as to how they should vote in the Senatorship, but the nature of those instructions, if they were given, has not been betrayed. On the other hand, there are members of the priesthood who say that beyond a doubt the word has gone out that the election of Kearns is desired by the majority of the first presidency.

RAILROADS ARE IN IT.

Of course the existence of church influence in behalf of any candidate signifies a consideration. The consideration in the case of Kearns has been exposed, and is easily traceable in the course of recent events. It is known that Apostle Reed Smoot and Thomas Kearns are both directors in the projected San Pedro, Los Angeles and Salt Lake Railroad Company. The promoters of this organization, including Senator Clark, of Montana, and R. C. Kerens, of Missouri, both prominent in opposing political parties, met in Salt Lake shortly after the November election. At that time an organization was effected in which Smoot, Kearns, and W. S. McCormick became resident directors. Apostle Reed Smoot was then prominently mentioned as a candidate for the Senatorship, and in certain quarters his election was predicted. At the time Thomas Kearns was not a Senatorial candidate. Shortly after the Salt Lake meeting Smoot and Kearns departed for the East, ostensibly on business connected with the new railroad company.

SMOOT OUT, KEARNS IN.

Now comes the salient fact. Apostle Smoot represented the church in negotiations for the sale, to the railroad company, of the Saltair beach property and the line of road thereto known as the Salt Lake and Los Angeles. The company (Kerens & Clark) agreed to buy the property, but demanded a bonus, or a consideration which will not be named in the deed, that they be permitted to select a United States Senator from their own directorate. The church was to accomplish his election. The proposition was evidently satisfactory to Smoot, who returned to Salt Lake and published a letter withdrawing from the Senatorial race, and, coincidentally, Thomas Kearns returned, announced himself as an active candidate, employed a manager, and said that he would have headquarters in his offices.

It is said that the way had been paved for him by letters from Senator Clark, who is a Democrat, and R. C. Kerens, who is a Republican national committeeman, demanding from the church that the election of Kearns to the Senatorship be included in the property transaction with the San Pedro, Los Angeles and Salt Lake Company, of which he (Kearns) is a director.

FIRST PRESIDENCY'S ADMISSION.

A Salt Lake Republican charged the first presidency with the facts as above stated, including reference to the written demands of Clark and Kerens, and received a practical admission that the statements were true, but a denial was entered by the dignitaries that the influence was to be used.

Now, as to the surface indications that the church is keeping its contract with the railroad promoters. During the Senatorial campaign two or three, high in authority in the church, have been using their personal influence in behalf of other candidates. For some reason not publicly explained they have been called off. The settlement upon Kearns as the chosen candidate of the railroad interest is charged to the influence of Apostle Reed Smoot, as an apostle, in the quorum and out of it. Apostle Smoot, when pressed by a friend for an explanation as to whether he had withdrawn from the Senatorial race or not in favor of any other candidate, replied that he had, and that his withdrawal was in the interest of Kearns.

The first definite indication of the Smoot influence among the members of the legislature was in the vote of Bishop Gardner, of Utah County, in the caucus. The McCormick camp had reason to believe that Gardner belonged to it, but after complimenting Apostle Smoot with his vote he went into the Kearns column and stayed there.

TWO CAMPS AGAINST KEARNS.

The gist of this story was public property yesterday and food for lively gossip. It developed that Arthur Brown had heard of it the day before and had called at the church offices to his own dissatisfaction. It likewise developed that W. S. McCormick secured an audience with President Snow yesterday, and it was reported at his headquarters that the interview was satisfactory. An additional development was the fact that the McCormick and Brown forces were bent upon the defeat of Kearns, and one of the active and principal workers in the Brown camp said that he had been present at a conference of Brown and his supporters, in which the determination prevailed that the "church influence" must be broken, and Kearns defeated at the expense of the Brown support going over to McCormick.

A significant tone of the street talk was the evident anger of the young Mormon element and the expressed determination to thwart the sale of the Senatorship to the Los Angeles railroad promoters.

Mr. President, as a sequel to that which was published last Sunday morning I read this dispatch from the Washington Post of this morning:

UTAH SENDS KEARNS—REPUBLICAN CAUCUS AT SALT LAKE SELECTS SENATOR ON TENTH BALLOT.

SALT LAKE, UTAH, January 22, 1901.

The Republican caucus to-night nominated Thomas L. Kearns for United States Senator. The tenth and decisive ballot stood: Kearns, 18; Brown, 9; McCormick, 9, and Salisbury, 1. Before the result was announced a change from Brown to Kearns gave Kearns the necessary 19 votes required to nominate. The nomination was then made unanimous.

The first vote for a United States Senator was taken in the senate to-day. The Democrats voted for A. W. McCune. Following is the result: McCune, 9; Brown, 3; Cannon, 3; Salisbury, 1; Allen, 1; absent, 1.

A ballot was also taken in the house. The Democrats voted for A. W. McCune. Following is the result: McCormick, 8; Thomas, 7; Kearns, 6; Brown, 4; Smoot, 3; Cannon, 1; McCune, 14.

Mr. HALE. Mr. President—

The PRESIDING OFFICER (Mr. ALDRICH in the chair). Does the Senator from Utah yield to the Senator from Maine?

Mr. RAWLINS. Yes, sir.

Mr. HALE. What does the Senator think that the Senate can do now?

Mr. RAWLINS. I do not think the Senate can do anything now, but I present these considerations to the Senate in order that it may deliberate upon what action it ought to take in case the contingency arises upon which it should take action.

Mr. HALE. If the Senator will allow me, of course the Sena-

tor has to judge for himself of what he thinks is proper and dignified in the Senate; but, Mr. President, if pending every Senatorial election in any State of the Union the charges and counter charges, accusations, and denials that surround and sometimes infest a Senatorial contest are to be dumped into the Senate while that Senatorial election is pending, where is to be the end of it?

I know nothing about this controversy; I do not even know the names of the candidates; but I do know that there has been no election, that it is pending, and I say, for one, that it is not tolerable that these charges should be presented here in the Senate pending a contest of that kind, and I hope this will be the last time that will be done.

Mr. RAWLINS. Mr. President, the long service of the Senator from Maine in the Senate of course entitles him to speak in regard to its traditions; but if these charges were made in respect to his State under like circumstances, I should be glad to have them presented in order that they might be investigated and found true or false.

Mr. HALE. Why, Mr. President, after an election, when the subject is properly presented to the Senate on the certificate of a duly accredited Senator presented here, all of these questions will properly come up; but to anticipate—that is my point and that is my complaint—to anticipate while a contest is pending, and ask the Senate to look into charges, to listen to them, to make up its mind, and to prejudice the case beforehand is the last thing in the world the Senator ought to do.

The Senator himself is a good lawyer and would make a good judge. He knows that a fundamental proposition always in these cases is that nothing should be done beforehand to prejudice or to prejudice a case. I should not want an election in the State of Maine, if there was a sharp contest going on, with all the animosities that are aroused, precipitated into the Senate, and men sought to be prejudged in their estimate before the question came up.

I hope the Senator will not go further in this matter and will not seek to make a precedent of this kind in this body.

Mr. RAWLINS. Mr. President, the Senator from Maine [Mr. HALE] and the Senator from New Hampshire [Mr. CHANDLER] are both very desirous, as they may properly be, to protect the due order and decorum of the proceedings of the Senate, and I appreciate in a way the spirit which doubtless prompts them to make their remarks and to take their action this morning, but I am satisfied that if either of those Senators stood under similar circumstances in his relation to his State as I stand to my State, and a gigantic wrong was about to be consummated, and he could under his sense of public duty by calling attention to that prevent it, he might properly, in the Senate or anywhere else, raise his voice in order that such a wrong might be thwarted.

I do not expect the Senate now and here to take cognizance of this matter, but I take cognizance of it. I call the attention of the Senate and of the country to it, and I invite the attention of my people at home to it. I invite the attention of the members of both branches of the legislature of my State to it; and I do it now at the threshold of an election in order that they may understand the nature of the charge that has been made, and that they are on trial before the public conscience of the country.

Mr. HALE. Mr. President, I very much regret that there is that condition of apathy in the State which the Senator represents, upon the pernicious proceedings that are going on, to so much of an extent that the people of that State need to be warned from Washington. The trouble with the Senator is, in the first place, he wants to divert this question to a greater question, with which we have nothing whatever to do; and that is the condition of polygamy in the State of Utah. We have admitted Utah as a State; and the legislation that will take place touching that monstrous institution will take place in Utah. We may exercise a kind of supervision; but they will legislate for it there, and the legislature of Utah will be responsible. That is not involved in this case.

The trouble with the Senator is that he wants to try out a Senatorial contest before any Senator has been elected, and I say—using stronger language than I did before—that it is not fitting and not in accordance with the traditions or the dignity of the Senate that a contest of that kind should be brought in here before the State has settled it. Such a thing has never been known before. No Senator, on newspaper statements and charges, has sought to involve the Senate in an expression of opinion about a condition in a State in a Senatorial election that is yet unsettled.

Mr. RAWLINS. Does the Senator mean to say that there has never been such an expression of opinion on the part of the Senate?

Mr. HALE. The Senator is wrong in saying that there ought to be a voice go from Washington. There ought to be no voice go from Washington to any State, Mr. President, that is engaged in its legal duty of electing a Senator. I am not enough of a general paternal government man to be in favor of such a thing as that. I do not want a monition to go from Washington to the State of Maine or to the legislature of the State of Maine when it

is engaged in electing a Senator to be sent here as a representative of that State as to what the Senate thinks ought to be done. The State of Maine desires no such monition. The State of Maine will attend to her business; she will perform her duties; she will go on and elect Senators without regard to a voice from Washington, and she will take her chances when her Senatorial certificates are presented here for any objection that may be raised, and with my consent the State of Utah shall not be permitted to take any different course from that.

Mr. RAWLINS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Utah?

Mr. HALE. I yield for a question.

Mr. RAWLINS. I have not asked the Senate or the Senator to give any voice, although he is giving one. I invite the attention of the Senate to this matter. I am not asking any action. I have already said that the Senate can not take action. What I have said is upon my own responsibility and not upon the responsibility of the Senator from Maine or that of any other Senator.

Mr. HALE. The Senator has gone far beyond that.

Mr. RAWLINS. No; I have not.

Mr. HALE. The Senator said that we ought to take cognizance of what is going on in Utah, and that there ought to be a voice from Washington. That is the very thing there ought not to be.

Mr. RAWLINS. Mr. President, it is strange, in view of the history of Congress in its dealings with Utah, for the Senator now to make that speech. For the last two years both Houses of Congress, especially the other branch, have taken cognizance of Utah, and have overthrown the election of a man who had been sent here. There are also pending resolutions in this body to the same effect.

Mr. HALE. But the Senate has kept its hands off of Utah since it was admitted as a State, and will keep its hands off of Utah. There are Senators here who think that the admission of Utah was precipitate; that it would have been better to have waited and to have held that once Territory outside during good behavior, but Congress saw fit to admit Utah as a State. The Senate has kept its hands off of Utah since that time just as completely as it has kept its hands off of Massachusetts or Indiana or Maine or any other State. What the House of Representatives have done on a question of seating a member there we have nothing whatever to do with.

The Senator knows that he is forcing this matter before the Senate. He attempted to do it as a question of privilege, but he was ruled down, and he is now taking advantage of the rules—which are very lax in this respect—upon an appropriation bill that has nothing whatever to do with this subject-matter, to again drag it in, and to seek, I do not know how or in what way, to influence an election that is going on in his State. I know nothing about that election. I do not even know, as I have said, the names of the candidates. I know nothing of the incidents of the canvass; but I do know that by every rule, by every tradition, by every decent thing the Senate has ever done, it never has in any way allowed itself to make an expression or to give a voice upon a pending Senatorial contest.

Mr. CHANDLER. Mr. President, entertaining the views which have been so forcibly expressed by the Senator from Maine [Mr. HALE], I deemed it my duty to prevent the Senate from taking any official notice of the pending Senatorial election in Utah. I did not wish to have any paper concerning that election received by the Senate and referred to a committee, although, to avoid this debate, I did consent, for my part, that these papers, if they were not read, might be received and referred to a committee.

It would be highly unbecoming in the Senate to take even the slightest notice of what is now going on in Utah. Whether the Senator from Utah [Mr. RAWLINS] should himself take notice of it, as he has, is a matter of taste, as the Senator from Maine [Mr. HALE] has remarked.

I call the attention of the Senator from Utah to the fact that while he is making these aspersions upon his State there is no other Senator representing the State here in this body to reply to him, and there is nobody to defend the State from what the Senator is saying about it. Therefore I regret that the Senator was not willing to wait and not undertake to use the Senate, even if he had a right to do it, as a means, I suppose, of advertising to the public his views concerning the Senatorial election in Utah.

I have done my duty with no disrespect to the Senator and with no desire to impugn any of his personal privileges in this body; but I deemed it my duty to prevent the Senator from taking any notice of what is going on in Utah. I regret that the Senator thought it was in good taste for him personally to interrupt the regular proceedings of the Senate for the purpose of taking notice of it himself.

Mr. RAWLINS. Mr. President, the Senator from New Hampshire [Mr. CHANDLER] and the Senator from Maine [Mr. HALE] with mock gravity and seriousness seek to speak of the privileges

of the Senate, calling in question the matter of taste and propriety of a member of the Senate. The Senator from New Hampshire has often taken occasion in the Senate of the United States to call attention to irrelevant matters. It was his privilege to do so, and nobody has called it in question. I think that no Senator present can fail to appreciate that the matters to which I have invited attention are matters concerning which I ought to have the support of the Senator from New Hampshire. On all occasions, relevant or irrelevant, when the Senator from New Hampshire has a personal grievance he is likely to air it in the Senate of the United States.

I have no personal grievance. This is a matter which does not concern me in the slightest degree one way or the other. I am not interested in preventing the election, and I am not interested in any candidate who has presented himself to the consideration of the legislature of Utah. It would be utterly impossible for me to influence that Republican legislature one way or the other, and I am not seeking to do so. Personally I have no more objection to Mr. Kearns than I have to any other candidate there, but this matter is called to my attention, and it is a burning question. It is charged that a compact, a corrupt bargain, has been made and has been consummated there by which a Republican Senator is to be elected from my State.

I do not want to be compelled to sit here with a colleague who comes here under that sort of taint. The Senator from New Hampshire may like that sort of thing, but I do not. I like a man coming here with his hands clean and above suspicion, and before any man comes here, in view of the charges which have been made, whether he be a Republican or a Democrat, the legislature ought to see to it that the charges are refuted, and that this slander, if it be a slander, be proven palpably false, or else they ought not to send a man here beclouded in that way.

My State is no doubt just as good as is his State, and I think it is a little better than the State from which the Senator from New Hampshire hails if we are to judge of its character by what he has said about it. Utah has not yet sold out. There is a vacancy here in the Senate. The State has preferred to have a vacancy than to have a bargain and sale of the Senatorship; and, according to the statement made by the Senator from New Hampshire, New Hampshire has sold out.

Mr. CHANDLER. Mr. President, I am happy to confirm what the Senator would be likely to say about the recent New Hampshire election. I think that a very horrible result was accomplished there about ten days ago [laughter], and by very much the same influences as the Senator points out in this newspaper article; but notwithstanding all this, while the election was going on my colleague [Mr. GALLINGER] did not rise in the Senate here and call attention to it. [Laughter.] He called no attention of the Senate to the atrocious character of the proceedings going on in his State and mine; and I have no doubt that the Senate would have thought it was in bad taste if he had done so.

I am very glad the Senator has seen fit to allude to my misfortunes, because it gives me an opportunity of making the point against the Senator from Utah which the Senator from Maine and myself now make, and that is that a State should not be interfered with while it is engaged in its Senatorial election, and Senators upon this floor, while a Senatorial election is going forward, should refrain from saying anything in regard to it. It is analogous to comment upon what is taking place in a court of justice. Everyone knows when trials are going on there should not be outside interference. So when a State is in the throes of a Senatorial election, whether the proceedings are as wicked as the Senator says they are in Utah to-day or as wicked as I painfully feel they must have been in New Hampshire the other day [laughter], taking any notice of them in the Senate of the United States is, I still insist, in bad taste.

Mr. RAWLINS. Mr. President, I repeat, in order that I may not be misunderstood, that I have not asked the Senate to take any action. I have not asked now that this matter go to the Committee on Privileges and Elections. I perceive how useless that would be, whether there had been an election or no election. I am not asking any Senator to take any part of the responsibility for what I have said. If there is anything connected with the Senate of the United States which is tarnishing its reputation and injuring it in the estimate of the people, it is the repeated charges of corruption and debauchment of State legislatures in the election of Senators. Measures are here pending within the cognizance of the Senate to remedy the difficulties which thus constantly arise.

There are a thousand reasons of propriety why I should invite the attention of the Senate to this subject now and on this occasion, because it is a matter within the jurisdiction of the Senate. It is a matter which the Senate and the House must remedy, if the honor and dignity and purity of the Administration of this country are to be preserved. When charges like these are seriously made in proceedings by which men are promoted to positions in this body, it is on these occasions, when the matter is urgent and the evil is pressing, that the attention of the country may be

invited to the facts in order that the Senate may reflect upon them and in the proper way and at the proper time do something to remedy these evils. Therefore, I have no apology to make for detaining the Senate. I do not know whether it will have any effect upon the Senate or upon the country, or what may be the result. If there has been such a bargain, I only trust to God that what has occurred here may prevent its consummation. If there has been no bargain, I have not the slightest animosity against any of the parties concerned. That is all I care to say about it.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from New Hampshire to the amendment of the Senator from Arkansas.

Mr. SPOONER. Mr. President, a word on this subject. I suggest to the Senator from Arkansas that if his amendment is to be adopted it ought to be amended by putting in a larger salary for this officer. It will be a very important position, one that will call for a good lawyer, a man who will sometimes be obliged to meet before committees some of the very best and most experienced lawyers in argument, and I doubt very much, if the Senate should be inclined to adopt this amendment, whether a man of the requisite experience and ability could be obtained at the salary provided in the Senator's amendment.

Mr. JONES of Arkansas. Will the Senator from Wisconsin allow me one word in reply to his suggestion made just now?

Mr. SPOONER. Certainly.

Mr. JONES of Arkansas. I will say that my own idea was in the beginning that there should be a salary of \$4,000 paid to this officer, but that I notified the Department of Justice of the action of the Indian Committee, and asked it to redraft the amendment which I had proposed and left the question of compensation blank, and the Department filled it with the present rate of \$3,000. I am perfectly willing that that shall be changed to \$4,000, and I believe myself it would be wise to do it.

Mr. SPOONER. I think there is a great deal to be said in favor of the amendment proposed by the Senator from Arkansas. I was chairman of the Committee on Claims for some years, a member of it for six years, and I had some experience in the matter of protecting the interest of the Government against claims. These claims are prepared very often by very skillful men. They are prepared and buttressed with the utmost subtlety, and although the committee then, as I suppose it does in these days, gave very painstaking care to the investigation of claims, it happened sometimes that we were unable, because of the other duties that pertain to the office of Senator, to arrive at a wise conclusion.

I remember one case in which a bill involving \$175,000 had been several times reported favorably in the House and had passed the House and had been some several times reported favorably in the Senate and had passed the Senate. It came again before the Committee on Claims for investigation. I took it myself and verified the statements made in the former report and submitted a favorable report to the committee, which it adopted. That night my doorbell was rung, and when the door was opened some one threw from the outside a note into the hall which referred to this claim. It was signed "Anonymous." It was well written and called my attention to a source of information which could not or would not naturally have been thought of by a Senator, which the next day I explored, and I found that the claim was an utterly fraudulent claim; that every pretext upon which it was pressed was without any substantial foundation whatever. I called the claimant before me and he admitted, to use his own language, that the jig was up.

The country is growing. Senators have multitudinous duties to perform. It is in the very nature of things impossible that they can give to each case careful investigation; that is, such an investigation as a lawyer would give to the case of a client, or as a man would employ in his own case if he were preparing a defense against a claim which he regarded as unjust. I think it will be a great help to the committee and a great protection to the Government if some provision of this kind is made. I think there ought to be one competent man under the pay of the Government whose sole duty it shall be, upon the request of committees or upon the request of heads of Departments, to investigate contested claims and to aid the committee by his report, after investigation.

I have never supposed, as there seems to be supposed by the Senator from New Hampshire, that it was to be a part of the function of this official to advise the committee whether the claim was a just claim or an unjust claim. I think that is not within the contemplation of the Senator from Arkansas. He is to investigate. He is to lay before the committees, in cases which they think it useful or helpful, the result of an investigation. He is to give to the committee the facts. Sometimes we do not get all the facts from the Department.

Mr. CHANDLER. May I ask the Senator from Wisconsin a question?

Mr. SPOONER. Certainly.

Mr. CHANDLER. Does not the Senator know that in practice it will result in this officer advising the committee?

Mr. SPOONER. I do not.

Mr. CHANDLER. He will say: "I have looked into this case; it seems to be all right," and the committee will accept it.

Mr. SPOONER. I do not know any such thing; and to assume any such thing is to assume that the Senators on the various committees are to abdicate their functions, surrender their judgment, and cease to perform their duties.

I suppose it will be hereafter, if this should be adopted, as it has been hitherto, that when a bill comes to a committee which requires investigation, growing out of a subject-matter within the province of some particular department, the first act of the chairman or the chairman of the subcommittee or the subcommittee man, if there be but one, will be to send the measure to the Treasury Department or the Interior Department for report. It will be a very convenient and, in my judgment, a very advantageous thing if there be an officer to whom a subcommittee can apply to conduct an investigation. All that this attorney is to do, as I understand, is to present the facts from the standpoint of the Government and report to the committee the result of his investigation. The committee, then, like a court, upon the facts thus disclosed on both sides, are to hear argument, if they choose to hear argument, or consult among themselves as to what, upon the facts, should be the proper determination.

The Senator's suggestion of yesterday that this will lead to the creation of a bureau has no terror to me. If it shall lead to the establishment of a bureau of claims, which will preserve the result of investigations upon these bills—and the bills come by the thousand—so that new Senators who come here hereafter will know where to turn for complete reports and for a collation of the facts as to a given claim, it will be a good thing and not a bad thing. It will protect this Government to the extent of millions upon millions of dollars. It will not be labor lost.

Another thing, Mr. President. There ought to be an amendment to the rule of the Senate, and the same amendment should be made to the rule of the House, which will preclude committees which report adversely upon these claims from simply reporting back the bill with a recommendation of indefinite postponement. Committees ought to be required, if they report adversely on any of these claims, to report the facts and the result of their investigation and the ground upon which they have determined that the claim is an unjust one. Then there will be some record of it.

Mr. COCKRELL. That is the rule of the Senate now. The Senate rule requires a written report to be made to accompany bills.

Mr. SPOONER. Ah, a written report. This is a written report: "The Committee on Claims reports the bill No. So-and-so, entitled 'A bill so and so,' adversely," or "with a recommendation of indefinite postponement." That does not give to the Senators who are to deal with the subject hereafter the benefit of the investigation or the discussion in the committee which has led the committee to report adversely upon the claim. Not fifty millions, but I venture to say a hundred millions, within the last forty years, might have been saved to this Government if in these claims there had been a complete investigation. A bureau of claims would not cost very much money. It would be a bagatelle, a mere trifle, compared to the saving it would be to the Government of the United States.

I am not certain that the amendment as drawn by the Senator from Arkansas is as well drawn as it might be. I think there is some merit in the suggestion of the Senator from New Hampshire that there should be an attorney, for instance, in the Treasury Department, an attorney in the Interior Department, who might be called upon by the other Departments. I would not begin by making too many. They ought to be competent men. They ought to have a salary which would be adequate. But I think in the proposition made by the Senator there is great merit.

Mr. CHANDLER. May I ask the Senator from Wisconsin a question?

Mr. SPOONER. Certainly.

Mr. CHANDLER. Every Department now has its solicitor or assistant attorney in that Department. Why should not that officer take charge of this business?

Mr. SPOONER. Every assistant attorney-general in the Departments is employed and has all he can do and more, too, in advising the Secretary as to the current business of the Department.

Mr. CHANDLER. Then give him more help.

Mr. SPOONER. Well, I said there may be force in that. I think there is.

Mr. CHANDLER. The Senator misunderstands my position. It is not that the Departments come before the committee with facts and with suggestions; it is that you take from each one of the great Departments where the claims originate responsibility and locate it upon one man in the Attorney-General's Office.

Mr. SPOONER. That is an assumption. I do not see that.

Mr. CHANDLER. Will the Senator allow me a little further, then, to prove it?

Mr. SPOONER. Yes; I will allow the Senator to prove it, if he can.

Mr. CHANDLER. The Senator denied my suggestion as to what the practical effect would be of the employment of such an officer, and said it would be an imputation upon every member of a committee to assume that they would be governed by the advice of this assistant attorney. The Senator resented that idea. The language of the amendment is:

To authorize the Attorney General to employ an additional assistant attorney, to be assigned to represent the United States before committees of the Senate or the House of Representatives.

The Senator knows very well you can not get rid of the results of that representation. The man comes here representing the United States, as counsel for the United States, and when he comes into the committee room and takes up a bundle of papers, constituting a claim, and says to the committee, "I, as counsel of the United States, say I have investigated this case and there is no objection," the effect will be produced upon the committee as a matter of practice which is always produced when an officer employed to defend a case, either in court or anywhere else, says, "I have investigated it, and I take the responsibility as attorney of saying there is no defense."

Mr. SPOONER. Would the Senator, if he were chairman of the Committee on Claims or a member of it, report adversely upon that?

Mr. CHANDLER. If I were chairman of the committee—

Mr. SPOONER. Will the Senator answer my question? Would he?

Mr. CHANDLER. State it again, please.

Mr. SPOONER. If the Senator were chairman or a member of the Committee on Claims, would he report adversely upon a claim simply because the attorney said he had looked into the case and it was bad?

Mr. CHANDLER. If the attorney said so, I should not give anything like the scrutiny to the case that I would if there had been no such report.

Mr. SPOONER. I think the Senator would give more.

Mr. CHANDLER. I would transfer part of my responsibility for the disposition of the claim to the attorney of the United States who appeared before the committee by direction of a law of Congress.

Mr. SPOONER. It is not at all the theory of the amendment that this officer is to be an assistant Senator or that he is to be a judge.

Mr. CHANDLER. He is to be an attorney representing the United States.

Mr. SPOONER. He is to be and ought to be an attorney to aid the committee by investigation, and his report to the committee ought to be the result of his investigations as to the facts.

Mr. CHANDLER. Then he ought to be an additional clerk of the committee.

Mr. SPOONER. No, sir; not at all. He also should suggest if there is a statute of limitations; or if there is any argument that ought to be made by the Government against the claim, which goes to its merits, it is proper for him to suggest it.

Mr. CHANDLER. Suppose he says there is no objection to the claim. Then the claim goes?

Mr. SPOONER. If he is unable to find from investigation any fact which would constitute an objection to the claim, and if the head of the Department, making also a report, as I assume the head of the Department would make when called upon by the committee, was unable to report any fact which would constitute an objection to the bill, that would be the end of it.

Mr. CAFFERY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Louisiana?

Mr. SPOONER. Certainly.

Mr. CAFFERY. Then I understand the Senator's position to be that he desires the officer to go before the Committee on Claims and state the facts of the case only, without expressing any opinion as to the merits of the claim.

Mr. SPOONER. I should suppose that would be his particular function.

Mr. CHANDLER. Then he does not represent the United States as counsel.

Mr. SPOONER. As counsel when the claimant is represented by counsel and the committee desires it.

Mr. CHANDLER. That is not the amendment.

Mr. SPOONER. I have sat by the hour, and so has the Senator from Arkansas, in the days when we were both members of the Committee on Claims, and listened to the arguments of some of the ablest lawyers in the United States, and some of the most subtle, in behalf of claims which were pending before that committee, and it would have been a great help to the committee—we were all busy; we all had other duties to perform; we all did

our duties here in the Senate, and we had the departments to go to, and we had our correspondence to take care of—it would have been a great help to the committee and it would have been of advantage to the Government if some competent man could have come before the committee, representing the Government, to present the Government's side of it; not to tell the committee what to do, any more than a lawyer tells the court what to do, but to investigate the facts and to present to the committee the arguments which were legitimate and ought to be considered against the claim and by way of answer to the argument on the other side.

I do not say that the amendment is drawn, perhaps, as it ought to be; I do not think the amendment suggested by the Senator from New Hampshire is drawn, perhaps, as it ought to be, but I maintain, and my experience enables me to say it without any doubt, that the creation of such an official would be of great service to the Government in protecting its interest, and it would help good claims.

Mr. HALE. Mr. President, I think probably every Senator who has looked into this matter sympathizes with what the Senator from Arkansas is trying to bring about, and that is a proper representation before the committees of this body of the strength of the Government's side against claims when they are urged. That has never been done. The truth is that in all these questions of claims there has come about a laxity of proceeding which increases every year.

Mr. SPOONER. And it will increase.

Mr. HALE. In the old days it was a most frequent thing, when a case was presented by the majority of the committee, that the minority would present a minority report, which was put on file with the majority report, and the case was fought out in the Senate and the Government was represented. The case of the claimant was not the only thing presented. Now, unfortunately—I think unfortunately—that good practice has pretty much fallen into disuse.

Mr. JONES of Arkansas. Will the Senator from Maine allow me to interrupt him?

Mr. HALE. Certainly.

Mr. JONES of Arkansas. There is another purpose, and it is by no means the smallest purpose, of this amendment. One of the difficulties is that when a claim has been examined by the committee and the facts fully found, and when there is, in the opinion of a part of the committee, an absolutely good defense on the part of the Government, which is known to a number of the members of the committee, enough other members of the committee are inclined to believe the claim is a good one, and in the difference of opinion they do not make any report at all. The matter drops out of sight. It is forgotten. It is lost sight of. Two or three or four or five years afterwards a new committee comes in, without a single one of the old members being on it who are familiar with the facts. Those facts which were known to some of the committee have dropped out of sight. There are cases now that may be brought here any day which have been presented in committees and are in exactly that condition.

One of the principal purposes I had in this amendment was to require that this officer shall keep a permanent record, a memorandum showing these facts in the defense of each one of the cases, that shall be collated from time to time, and if every single man who is now a Senator should go out of public life this record would stand here and show the defense of the Government in each case. That is one of the points in addition to what the Senator has already stated.

Mr. HALE. That is amplifying in very fitting fashion—the Senator always speaks to the point—what I was saying. The practice of minority reports has become almost disused. Senators are content with saying, "We will not vote for this claim." It comes in with only one report, and it goes through, and the Government's case is never presented. I think a great many of us who have had some service here have become impatient about that.

Now, the only question in my mind is what is the best way of getting at this. It is the practice not only of the Committee on Claims, but other committees before whom matters come which are really claims but which go to other committees because they relate to distinct Departments, when a case comes up to ask from the Department where the claim originates the view of the Department. I have always thought that the Departments ought to go further than they do. They ought not to be content with a brief letter stating that they see no cause against the claim, or that it has never been paid, or that the Department is not in favor of it. The Department ought to be authorized to send a law officer, who knows law and can examine a claim, before the committee to present the Government's case; and I am afraid that the device to which the Senator resorts, of selecting one man to do this, will not work.

Mr. CHANDLER. Will the Senator from Maine yield to me for a moment?

Mr. HALE. Certainly.

Mr. CHANDLER. I submit an amendment intended to be

proposed to the pending bill. I ask that it may be read, printed, and referred to the Committee on Privileges and Elections.

Mr. ALLISON. An amendment to the pending bill?

Mr. CHANDLER. Yes, sir; to the pending bill.

Mr. ALLISON. I hope the Senator will not ask to have it printed.

Mr. CHANDLER. If we do not get it on this bill, I will not ask to delay the bill on account of it. Perhaps the Senator can tell me precisely when this bill will pass.

Mr. ALLISON. I can not, but I hope—

Mr. CHANDLER. It was in view of that uncertainty that I made the request.

Mr. ALLISON. I wish to press it and, if possible, to secure its passage to-day.

Mr. CHANDLER. Mr. President, I ask to have the amendment read.

The PRESIDENT pro tempore. The amendment will be read. The Secretary read as follows:

To enable the Department of Justice to institute and carry on legal proceedings to test the legality of any provision of the constitution or laws of any State which may seem to be in violation of the fourteenth and fifteenth amendments to the Constitution of the United States, \$25,000, or so much thereof as may be necessary.

The PRESIDENT pro tempore. The amendment will be printed and referred to the Committee on Privileges and Elections.

Mr. HALE. Mr. President, I think, though I am not sure, that when I was interrupted I was saying that I feared that the Senator from Arkansas, with the most laudable desire, has not found the way to meet the evil which I so imperfectly sketched, of the Government not being represented in these claims. I should be afraid, if a single officer is provided for in all cases of claims where the Department's knowledge of the subject is invoked, that the operation would be that they would be turned over to this one man; that the search and scrutiny and the ransack that there ought to be of papers and records in a Department on every given case would not take place, but that it would all be turned over to this one man, and the responsibility would be on him; and that therefore the controlling reasons which ought to operate with committees might never be brought to bear.

Now, either by giving more appropriations to the Departments or by giving an additional officer in each Department, I would very much rather see some provision by which the departmental liability and responsibility should not be taken from it and given to any one person, but kept in the Department. With that cardinal feature, either by giving, as I said, more appropriation of money in terms to enable them to employ an additional officer or by the creation if necessary of an additional assistant law officer in the Department, I would keep the Department up to its own work in its own records on claims that originate in the Department.

I think the committees would be better enlightened if, when the judgment of the Secretary of the Navy is asked upon a claim, or of the Treasury, or of the Interior, or the head of the Post-Office Department, or any of them, the Secretary could at once put his hand upon a man who is not busy with other things, who is not engaged in the routine work of the Department and its adaptation to the business of the country, but a man whose business it is to enlighten Congress, and say to him, not only shall you write a letter stating the status of this case in the Department, but you shall go before the committee and represent the Department and present the case to the committee and have the Government's side given to all the members of the committee. I think the Senator from Wisconsin agrees with me that that would work better than to have one man operate for all the Departments.

Mr. SPOONER. I agree with the Senator, and that is what I meant when I said that I thought the second amendment suggested by the Senator from New Hampshire, which proposes to provide for just that thing, is better than to have one man.

Mr. HALE. I certainly think so. The trouble now is that the committee gets back a letter that probably has been written by some clerk. The Department has not got the law officer—the man versed in law—the man capable of following the case up and getting at the real meat of the matter. It has not got any such man.

Mr. SPOONER. I will say to the Senator that I have myself many times pursued the mere act of investigation to a point which absolutely demonstrated that the report from a Department was utterly inadequate.

Mr. HALE. Yes; I have no doubt of that. I feel that constantly when I get these letters. I do not feel that they carry much weight because they are, as I have said, apt to be made by some clerk. The Secretary signs them and they come here. The knowledge that that is so is why committees so often override them. Now, if the Secretary could put his hand upon a good lawyer, well paid, and instruct him to hunt up the case and present it to him, and then, if necessary, go with it to the committee—

Mr. CHANDLER. May I ask the Senator a question right there?

Mr. HALE. Certainly.

Mr. CHANDLER. I ask him why everything that is sought to be accomplished could not be done by making it the duty of the solicitor of each Department to do this work, and if necessary giving him an assistant to do it?

Mr. HALE. That is what I say.

Mr. CHANDLER. So that each Department will come before the committees represented by an officer whose statutory duty it is to supply the lack which the committees feel.

Mr. HALE. But I think you will have to give the head of the Department an additional officer; otherwise you will meet the objection which has already been urged, that all the law officers of the Department are busy now.

Mr. CHANDLER. I agree to that; but, on the other hand, suppose we undertake to transfer this work to one assistant attorney-general. There is a Solicitor of the Department; there are Assistant Secretaries. A dishonest claim gets through and you go to the Secretary of the Interior or the Solicitor for the Interior Department, and ask, "Why did you let this dishonest claim go through Congress?" He will say: "We sent all the papers"—

Mr. HALE. To the committee.

Mr. CHANDLER. No; "to the Assistant Attorney-General. The whole business went out of the Interior Department to the Department of Justice; it went into the hands of that officer; he went up and made an appearance before the committee; the case was inadequately defended; the committee passed on the claim, and we were not responsible for it." Now, it is to retain precisely that responsibility upon the Department itself that I speak.

Mr. JONES of Arkansas. Will the Senator from Maine allow me a moment in this connection?

Mr. HALE. Certainly.

Mr. JONES of Arkansas. I think the position of the Senator from New Hampshire presupposes that Senators will pay no attention to their responsibilities. When these reports are made from committees, they must be made by Senators on their own judgment and on their investigation of all the facts. It was my idea to provide the means by which the facts in the case can be gotten at, by which the treaties and laws bearing on the case can be collected and brought together, so that Senators may weigh and consider their force and effect and make their report accordingly. They want a man to collect the facts in the Department, get together the law that bears on the case, and to present whatever there is in the defense of the Government, and then the responsibility is on the committee to pass the claim or not.

I do not believe that the responsibility for any of these cases can be shifted to the Interior Department or to the War Department. When a committee begins one of these investigations now, it sends the case down to the Department for a report, and we all know perfectly well that it is physically impossible for any of the Departments to make a full report in some of the cases.

Mr. CHANDLER. The Senator from Maine knows very well that the privilege of having the floor is to speak after every other Senator has finished, and therefore I wish he would allow me to say a word.

Mr. HALE. Certainly. I know the Senator can say it much better than I can.

Mr. CHANDLER. What I want to say in reply to the Senator from Arkansas is that the whole argument which he and the Senator from Wisconsin have made is based upon the fact that Senators do not do their full duty; that Senators are neglectful and do not make sufficient exploration of these claims. Therefore he says we must have an assistant attorney in the Department of Justice to make the investigations and do the work which Senators will not do and which the Senator from Wisconsin said he failed to do when he was upon the Committee on Claims. Now, that is the basis of this whole movement.

Mr. JONES of Arkansas. I will not take the time of the Senator from Maine to deny that, but I will do so later.

Mr. CHANDLER. And when I call the attention of the Senate to the fact that this officer will have too much power, that he will represent the United States, and he will virtually have the power to let judgment be rendered by default against the United States, then Senators turn around and say it is not to be presumed that Senators will not do their duty; that they will do their duty, and they will scrutinize all these claims. Then, if they will, the whole duty of defending the claims should not be put into the hands of one feeble officer in the Department of Justice.

Mr. SPOONER. If the Senator from Maine will permit me, I do not want the Senator from New Hampshire to put in my mouth, as he attempted to do, the statement, which would not be true, that when I was upon the Committee on Claims I failed to do my duty. I never worked harder in any business in my life than I did in protecting the interest of the Government and in being just to claimants when I was a member of the Committee on Claims. When I was unable to agree with a majority of the committee and to report claims favorably I made, as a rule, minority reports. I called attention to one case which I reported favorably to the

committee that had passed each House several times. It was a case which seemed to be almost a demonstration. But some one who had personal knowledge of the claim and of the facts and of the claimant, whether moved by a public interest or a private spite I can not know, surreptitiously conveyed to me a suggestion as to a line of investigation which would not have occurred to anyone, and, following it up, I found that the claim was an unjust claim. That is what I said, and that is all I said on that subject. I am obliged to the Senator from Maine for yielding to me.

Mr. HALE. Sticking right to the point I was trying to make, that the Senator is on what I fear is the wrong track in seeking to do what he desires, I come back to the danger that, with this one man to consider all claims in all Departments, the committees will never get the benefit of what they ought to have—the resisting power of each Department. They find what committees need. Senators are busy men. Senators who do the important work of all committees here are as busy as professional men are at home in their work, or as manufacturers, or bankers, or any business men in the country, and they can not get at what I may call the other side, the side against the claimant. The claimant comes here all prepared. He has his counsel. He has looked over all the precedents. He invokes all the reports that have been made in favor of his claim, and he presents a compact and apparently perfect brief of the case. He is very careful not to present the other side, and the committees do not get the other side.

Now, what they ought to have, and since we have started in this quest we ought not to leave it until we provide it, is that the committee shall have in all such cases the resisting power of each Department against a bad claim. I do not think they can get it by any one officer.

Mr. BACON. Will the Senator from Maine permit me one moment?

Mr. HALE. Certainly.

Mr. BACON. I am very much impressed with the strength of the Senator's suggestion, and I simply want to add that, having served upon the Committee on Claims, it occurs to me that there are a great many claims which would not be within the particular cognizance of any given Department. I think that is true. I have some cases in my recollection now that would not properly fall within the jurisdiction of a Department, and, if so, the suggestion of the Senator would not entirely meet the requirements of the case.

Mr. HALE. I have not had as much experience in the Committee on Claims as some Senators, but I think that nineteen out of twenty of all claims that are presented in the form of bills providing for payments from the Treasury to individual parties involve the records and the scrutiny of some one or other of the Departments of the Government. It is a very rare thing—

Mr. BACON. Every claim is a demand on the Treasury; and to that extent, of course, it concerns that Department.

Mr. HALE. That is the answer. If you can not go anywhere else, go to the Treasury Department.

Mr. SPOONER. Some Department has control of every subject.

Mr. HALE. Undoubtedly; it is intended that the Departments shall be exhaustive as to the subjects. That is what they are for. So I should like to see the amendment so framed that if necessary an additional officer in each Department of the Government, particularly in each of the great Departments, shall be furnished to the Department, whose business it shall be to make thorough investigation of every case; and, if necessary, appear before the committees.

Mr. ELKINS. At the call of the chairman, I suppose?

Mr. HALE. At the call of the chairman, or let the Secretary exercise that discretion. If upon investigation he finds that it is important enough that this law officer shall appear before the committee, let him suggest to the chairman of the committee that he thinks it desirable.

Mr. JONES of Arkansas. I hope the Senator from Maine would not insist that an executive officer of the Government shall have a right, upon his ipse dixit, to send a man to a committee to take care of any interest before that committee?

Mr. HALE. I did not say that.

Mr. JONES of Arkansas. It could only be done on the request of the committee.

Mr. HALE. The Senator misunderstood me. It comes originally to the Department by the committee making the request. It never goes except by the committee. Now, if on examination the head of the Department finds that there is a good defense, and that his law officer has so investigated it that he can present that defense, I would have the head of the Department in making his reply suggest to the chairman of the committee that the law officer of that Department will appear at any time when he is desired, and present the case against the attorney on the other side, because everybody knows that in cases of importance attorneys appear before committees. A great many men in Washington are getting an honest living by urging claims before committees of Congress. I would have the Secretary at the head of each Department so authorized that he would feel it was not in any way

interfering with another branch of the Government to suggest to the chairman in presenting his report that his law officer will appear, if required, and present the case for the Government and answer further questions.

I think, Mr. President, out of that you would get what I have called the other side, and you would get the resisting force of each Department. I am afraid you will not get it if you swamp the proposition by making one officer perform the duty for all the Departments.

Mr. DANIEL. Mr. President, there is an element of expediency in the movement represented by this amendment, as it would seem to me, but it also appears to me that this is a very crude and ineffectual effort to relieve the evil which is complained of. The amendment is vague in its description of the duties assigned to the officer to be appointed, and it initiates a movement which I am afraid would develop into a great Congressional bureau of attorneys.

It seems to me, Mr. President, that the suggestion of the Senator from Maine [Mr. HALE] is the correct one—that the juridical aspect of these cases should emanate from the Departments which have connection with them. It is merely provided in the amendment that the Attorney-General shall be authorized—

To employ an additional assistant attorney to be assigned to represent the United States before committees of the Senate or House of Representatives in relation to bills for the payment or allowance of claims against the United States.

That might make this attorney an attorney of the Government in every case of claims against the United States, whether it had relation to the Department of Justice, the Treasury, the State Department, or any other. A great many of these cases are not cases of a technical character; they rest upon the strict rules of jurisprudence.

Congress is, to certain intents and purposes, a sort of chancery or equitable department, in which claims which have no distinctive legal status, but are in some way of moral obligation upon the Government, may be considered.

It would appear that it would be wiser not to dispose of this matter now upon an appropriation bill with the slight consideration that can be given it in the pressure that is upon us, and that rather it might be the suggestion for some future measure that would, to some degree at least, relieve the evil that is complained of.

If the Attorney-General should assign an officer whose duty it was to appear before the committees of Congress, it would soon require many officers to appear in all the cases before committees of this character, and we would have at the legislative end of the Government a bureaucracy which would grow from year to year into a considerable establishment. It is a maxim of the East that if a camel once gets his nose in the door of a tent, his body, hump and all, will soon follow; and if we once take hold of the business in this fashion, it will be the nucleus around which a great legislative and executive bureau will grow.

It seems to me, Mr. President, that it would be a much better practice for the committee to refer the bills which they desire to be explored by a Department to that Department with an explicit request for its enlightenment as to all the facts that relate to the subject-matter and for its advice as to the law pertinent to the subject. When such requests were sent to a particular Department, that Department, in the nature of things, would endeavor to answer the request in a commensurate manner, and soon the necessities of the case would guide the way to such establishment as might be feasible and desirable.

I believe that those things which grow out of the necessities and customs to which society is driven are apt to grow better than if an artificial structure is the beginning of the matter. If the committee would pursue this practice in all cases in which they have difficulty, and the Department would pursue the corresponding practice of enlightening the committee as far as it is able, first as to the facts and then as to the law, the estimates of the Department, and their recommendations as to the necessary machinery to sustain the position taken, I believe that custom would result in administering this subject the best that it can be administered.

As it stands in this amendment I shall vote against it, and yet I realize the fact that it is a cry for light, and the cry of one burden to be relieved of that burden, and that some measure sooner or later must be devised. I do not think this is the right kind of corner stone to lay or the right kind of foundation to build, for if you lay the corner stone in this fashion the foundation will come after it, and then a great structure will be built around it as the fundamental idea.

I hope, therefore, Mr. President, that the measure will not be pressed as an amendment to the appropriation bill. I do not believe that the committees of either this House or the coordinate body of Congress neglects such matters as this. They are overburdened with them. They find their legislative duties more than sufficient for the intellect, time, diligence, and attention of any one man to meet more than measurably well. They find the time that

should be engrossed in the study of great public questions absorbed by their being called to determine juridical questions, the investigation of cases, little and great, and all manner of questions that do not relate to general legislation. Of necessity, the committees must be driven to relieve themselves to a degree of this burden, and I believe that that relief will best be solved by the chairmen of the committees and the members of the committees insisting on the reference of cases to Departments, with distinctive requests for their full instruction as to the facts and law of the matter in the view of the Department. That will then be a brief, as it were, of the governmental view, and will present one side of the case as well as it can be presented before a committee.

If we throw open the doors for an attorney of the Government to appear in all claims against the Government, there are not enough hours in the day, or enough days in the week, or weeks in the year for that hearing to beat all commensurate with the plan for the hearing. It can not be done. If the Government attorney is heard in all these cases and the duty put upon him to appear in them there will be always a counselor to be heard upon the other side, and many claims which would be disposed of upon the simple historical statement of the facts and recital of the law would be dealt with in this manner. The Committees on Claims would be resolved into courts of claims, and a function would be ascribed to the committee which does not appropriately belong to it.

If committees are now doubtful about facts, or have difficulty in reaching them, they can ask that those cases be referred to the Court of Claims to ascertain the facts. That is a common practice which has grown up under the statute, and it has relieved the committees of much labor upon that subject. It may be that the practice may be extended in other cases, and that the committees will refuse to hear any case until the facts have been so ascertained. When they have ascertained the facts they may further get enlightenment from the advice of a Department by submitting the matter to the Court of Claims.

It seems to me, Mr. President, it is better not to use this direct method of having Government attorneys sent from the other end of the Avenue to appear before the Committee on Claims, but that we should rather develop the lines which have already been started and the new lines of calling upon a Department for its expression of opinion as to the law as well as for its recital of the facts. The Departments are already provided with their attorneys, with their law clerks, and with all the mechanism for such an arrangement; and this is a new ramification of the order of procedure when the orders of procedure are all-sufficient to comprehend and grasp any bill that may come before Congress.

What bill could come before us, Mr. President, involving a claim against the Government which the present mechanism is not sufficient to reach and to dispose of? The claim of a State comes before a Department. It relates to Army matters, we may say. Refer it, then, to the War Department for the facts. Let them give their suggestions as to the law, if there be a legal question, and then the committee will have all the preliminary enlightenment and may then send the case to the Court of Claims, if they are not themselves satisfied to adjudicate it or feel that the hearing would be too long or too unwieldy for them. There is an abundance of method now for the disposition of every claim before committees. The trouble arises from the fact that the bodies themselves have not time to give these claims full original consideration, and that their preliminary investigations of them are not sufficiently exhaustive before they are presented to us here.

It would be most unwise, in my judgment, thus crudely and imperfectly to make a new differentiation in the line for the pursuit of light on this subject.

Mr. ALLISON. Mr. President—

Mr. CHANDLER. If the Senator from Iowa will allow me, I withdraw the amendment I offered, and move what I send to the desk as a substitute for the amendment proposed by the Senator from Arkansas [Mr. JONES].

The PRESIDENT pro tempore. The Senator from New Hampshire withdraws his amendment and offers another as a substitute for the original amendment, which will be stated.

The SECRETARY. It is proposed to insert as a new clause:

To enable the Secretary of the Treasury and the Secretary of the Interior each to appoint a competent lawyer to represent the United States before committees of Congress, when requested by the committees to do so, concerning claims against the Government, the sum of \$8,000.

Mr. JONES of Arkansas. Will the Senator from Iowa allow me to make a suggestion to the Senator from New Hampshire?

Mr. ALLISON. Certainly.

Mr. JONES of Arkansas. I should be perfectly willing to accept the amendment proposed by the Senator from New Hampshire as a substitute for the proposition offered by me, but I suggest to the Senator from New Hampshire that I think there should be a provision in the amendment requiring that there should be a permanent record kept by those officers in each of the Departments named, so that when the same claim should arise at some subsequent time the record of the case would be found there with-

out regard to the recollections of individual men. A proper record should be kept, with a memorandum of the results of their investigations and of the defenses of the Government in each case.

Mr. CHANDLER. I do not myself like this amendment, but I prefer it to the original amendment, which provided those attorneys should be appointed in the Department of Justice for all the Departments. I have offered the substitute as a compromise. I think there should be added to it the last clause of the amendment of the Senator from Arkansas, with a slight modification, which I will read:

Records or minutes of the cases in which each attorney appears shall be kept in the Departments, which shall show briefly the name of the claimant, amount of claim, and the facts on which the claim is based, with a memorandum of the defenses of the Government against such claims, together with the action of Congress thereon.

Mr. SPOONER. Let it read "cases which each attorney investigates or in which he appears."

Mr. JONES of Arkansas. Yes; that would be better.

Mr. SPOONER. I suggest that the words be inserted, "cases which each attorney investigates or in which he appears." He might make investigations through the head of a Department.

Mr. McCOMAS. I think the Senator from New Hampshire had better add, after the words "eight thousand dollars," the words "or so much as may be necessary for this purpose."

Mr. CHANDLER. So far as it appears, each of these men will get \$4,000. The heads of Departments will find means to get the records, and if they want additional clerks they will ask for them. I will move to add the last clause of the amendment of the Senator from Arkansas, which I have read, to my amendment.

The PRESIDENT pro tempore. The amendment as now submitted by the Senator from New Hampshire will be stated.

The SECRETARY. It is proposed to insert as a new clause the following:

To enable the Secretary of the Treasury and the Secretary of the Interior each to appoint a competent lawyer to represent the United States before committees of Congress, when requested by the committees to do so, concerning claims against the Government, the sum of \$8,000. Records or minutes of the cases in which each attorney appears shall be kept in the Departments, which shall show briefly the name of the claimant, amount of claim, and the facts on which the claim is based, with a memorandum of the defenses of the Government against such claims, together with the action of Congress thereon.

Mr. JONES of Arkansas. Does that provide that the attorney shall appear upon the request of committees?

Mr. CHANDLER. Yes.

Mr. JONES of Arkansas. Then I am satisfied with the amendment.

Mr. BUTLER. Mr. President—

The PRESIDENT pro tempore. The Senator from Iowa [Mr. ALLISON] is entitled to the floor.

Mr. ALLISON. I yield to the Senator.

Mr. BUTLER. I think the amendment as now read does not contain the suggestion made by the Senator from Wisconsin [Mr. SPOONER], which seems to me to be a very pertinent one—so as to read "cases which each attorney investigates or in which he appears." Those words are not inserted in the amendment.

Mr. ALLISON. Mr. President, yesterday when this amendment was offered I expressed sympathy with the object the Senator from Arkansas [Mr. JONES] had in view, but I feared then, as I fear now, that the preparation of this amendment in open Senate, in the course of debate, will not perfect the amendment as thoroughly as it ought to be perfected to accomplish the purpose designed. I very much prefer the amendment of the Senator from New Hampshire [Mr. CHANDLER], which provides that these lawyers shall be under the control of the heads of the Departments, who, from time to time, have a public interest in claims before Congress.

Inasmuch, now, as the amendment has been debated for some time and perfected with the assent of the Senator from Arkansas on the suggestion of the Senator from New Hampshire, I shall refrain from any further expression upon this subject, and only say that I think the amendment now is in such form and condition as that it can be perfected in a conference committee or in the other House so as to meet fully and thoroughly the views of the Senator from Arkansas.

Mr. CHANDLER. I have no doubt the Senator from Arkansas, and I am certain that I, felt that this amendment as it has been crudely prepared in open Senate, as the Senator from Iowa says, would not escape the delicate attentions of the conference committee, as such committees always give themselves to the improvement and perfection of all amendments which are adopted by the Senate. We owe to our committees of conference, Mr. President, great obligations, not only for the correction of the substance, but the improvements in the style of amendments which are adopted while the bills are passing through the larger bodies. [Laughter.]

Mr. JONES of Arkansas. It is a great blessing that the crudities of the suggestions of other Senators have such a competent tribunal wherein they can be perfected. I am glad to know that fact, and am satisfied that the matter shall be so arranged.

Mr. ALLISON. Mr. President, as time is not precious and as my suggestion of yesterday was not yielded to of endeavoring through a subcommittee to perfect this amendment, and not knowing at the time that the amendment offered by the Senator from Arkansas had passed through the crucible of one of the important committees of this body, I withdraw any suggestion I made in my observations yesterday in regard to it. I also accept the merited compliment of the Senator from New Hampshire and the Senator from Arkansas respecting this amendment. Of course the conference committee will have ample time to get into some quiet place and spend an hour or two, or, perhaps, a day or two, on this amendment. [Laughter.]

The PRESIDENT pro tempore. The Senator from Arkansas [Mr. JONES] having accepted the substitute proposed by the Senator from New Hampshire [Mr. CHANDLER] for his amendment, the question is on the adoption of the amendment.

The amendment was agreed to.

Mr. ALLISON. I ask that the bill may now be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM CRAMP & SONS COMPANY.

The bill (H. R. 1605) for the relief of the William Cramp & Sons Ship and Engine Building Company, of Philadelphia, Pa., was read twice by its title.

Mr. STEWART. A bill which is the same in substance as the bill which has just come from the House of Representatives has been reported by the Committee on Claims of this body, and is now on the Calendar as Order of Business No. 115. It is Senate bill 795. I suggest that the bill from the House of Representatives be substituted for the Senate bill and take its place on the Calendar, and that the Senate bill be indefinitely postponed.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that the bill just received from the House of Representatives be substituted on the Calendar as Order of Business No. 115 in place of the Senate bill on the same subject. Is there objection? The Chair hears none, and it is so ordered.

Mr. STEWART. I now move that the bill (S. 795) for the relief of the William Cramp & Sons Ship and Engine Building Company, of Philadelphia, Pa., be indefinitely postponed.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed, with an amendment, to the concurrent resolution of the Senate relative to the celebration of the anniversary of the day when John Marshall became the Chief Justice of the Supreme Court of the United States, etc.; in which it requested the concurrence of the Senate.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 22d instant approved and signed the joint resolution (S. R. 145) authorizing the Secretary of War to grant permits to the executive committee on inaugural ceremonies for use of reservations or public spaces in the city of Washington on the occasion of the inauguration of the President-elect, on March 4, 1901, etc.

CHIEF JUSTICE JOHN MARSHALL.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the concurrent resolution of the Senate relative to the celebration of the anniversary of the day when John Marshall became the Chief Justice of the Supreme Court of the United States, which was, on page 2, after line 5, to insert:

SEC. 2. That the exercises herein provided for shall be held in the Hall of the House of Representatives on said 4th day of February next, beginning at 10 o'clock a. m. and ending at 1 o'clock p. m. That the joint committee herein provided for shall consist of 5 members, 2 to be appointed by the President pro tempore of the Senate and 3 by the Speaker of the House of Representatives.

Mr. LINDSAY. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

PROMOTION OF COMMERCE AND INCREASE OF TRADE.

Mr. FRYE. I move that the Senate proceed to the consideration of Senate bill 727.

The PRESIDING OFFICER (Mr. ALDRICH in the chair). The Senator from Maine moves to proceed to the consideration of a bill the title of which will be stated.

The SECRETARY. A bill (S. 727) to promote the commerce and increase the foreign trade of the United States and to provide auxiliary cruisers, transports, and seamen for Government use when necessary.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine.

Mr. JONES of Arkansas. Mr. President, before the vote is taken on the motion to proceed to the consideration of the bill I should like to call the attention of the Senate to the fact—

The PRESIDING OFFICER. It is the duty of the Chair to suggest to the Senator that debate is not in order on the pending motion.

Mr. JONES of Arkansas. Then I ask unanimous consent to make a suggestion in this connection.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator will proceed.

Mr. JONES of Arkansas. I wanted to call the attention of Senators to the fact that the Indian appropriation bill is on the Calendar. There are necessarily a considerable number of provisions in that bill which will provoke debate, and I suppose it will take several days to pass the bill through the Senate. After it shall have passed the Senate, it must necessarily go to conference, and it will take considerable time to settle the differences there.

Therefore it seems to me the Senate ought to first proceed with the consideration of appropriation bills unless the other side are indifferent as to whether or not the appropriation bills shall be disposed of before the 4th of March. The bill proposed to be taken up by the Senator from Maine will, in my opinion, provoke considerable debate and take some time before a vote can be reached upon it. So it seems to me it would be better to first take up the Indian appropriation bill. I have, however, nothing to do with the order of business of the Senate. The majority of Senators on the other side will control that.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine to proceed to the consideration of the bill the title of which has been stated.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. FRYE. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first considered.

The PRESIDING OFFICER. The Senator from Maine asks unanimous consent that the first reading of the bill may be dispensed with, that it be read for amendment, and that the committee amendments be first considered.

Mr. PETTUS. Mr. President—

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. PETTUS. Mr. President, I was trying to get a qualification to that consent, but the Chair did not hear me. I wanted it understood that all other amendments, whether they should interfere with the committee amendments or not, should be heard and could be heard. In other words, although the committee amendments may be adopted, that other amendments may be afterwards acted upon which contradict the committee's amendments.

Mr. FRYE. Undoubtedly they would have the opportunity to be offered in the Senate. Everything is open to amendment in the Senate.

Mr. PETTUS. I understand that, but why not in Committee of the Whole, as upon other bills?

Mr. FRYE. I have no objection to it as in Committee of the Whole, but the reason it was done (if the Chair will pardon me) in the Army bill the other day was that that was a House bill which was not being considered by the Senate as in Committee of the Whole; therefore there had to be unanimous consent in order to act upon amendments to the amendments which had already been disposed of in the Senate. This bill goes into the Senate after it goes out of the Committee of the Whole, and everything in it will be open to amendment in the Senate.

Mr. PETTUS. But, Mr. President, what I have stated has been the rule in reference to amendments on other bills that were not in that situation.

Mr. FRYE. I have never known such a case in my experience in the Senate, because there is no need of it; for, as I say, whatever amendments may be made as in Committee of the Whole are reported to the Senate, and then in the Senate the bill is open to the broadest amendment. Therefore there is no necessity for doing in this case what the Senator proposes, as there was the other day.

Mr. PETTUS. Mr. President, I ask that what I have requested may be added to the unanimous-consent agreement. I was speaking to the Chair while the Chair was announcing the result.

The PRESIDING OFFICER. The Senator from Alabama asks that an additional agreement be entered into by which it shall be understood that other amendments than the committee amendments may be acted upon after the committee amendments have been disposed of as in Committee of the Whole.

Mr. ALLISON. That will certainly cause any amendment to be in order to this bill so long as it is in Committee of the Whole.

The PRESIDING OFFICER. The Chair understands that to be the rule of the Senate.

Mr. PETTIGREW. I do not understand that consent has been given to the request of the Senator from Maine [Mr. FRYE], because the Senator from Alabama [Mr. PETTUS] was addressing the Chair when the Chair made the announcement, and, according to every precedent in this body and every ruling heretofore upon that subject, certainly it will not be claimed that consent has been granted in view of the fact that the Senator from Alabama desired to offer an amendment to the request for unanimous consent.

The PRESIDING OFFICER. The Chair announced that the request made by the Senator from Maine had been agreed to, when the Senator from Alabama asked that it might be extended or modified.

Mr. PETTIGREW. But the Senator from Alabama was addressing the Chair when the announcement was made. I do not understand that under those circumstances unanimous consent was given; and the Chair will certainly not make an arbitrary rule. I do not propose to object, but I do insist that when a Senator rises in his seat and says he wants a modification of that assent he has a right to be heard; and under the circumstances it should be considered that the assent has not been given.

The PRESIDING OFFICER. The Senator from Alabama has been heard. He has stated his request, and the Chair has submitted his request to the Senate.

Mr. PETTIGREW. But he addressed the Chair before the Chair made any announcement.

The PRESIDING OFFICER. Possibly.

Mr. PETTIGREW. Now, if the Chair's ruling holds good, it shuts out any modification whatever of the consent agreement. That can not be done without my protest.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama [Mr. PETTUS]? The Chair hears none, and that agreement is made.

Mr. PETTIGREW. Now, I want to know what the agreement is.

The PRESIDING OFFICER. That after the committee amendments have been acted upon any other amendment shall be in order when offered by a Senator.

Mr. FRYE. It goes a little further than that—that any amendments by unanimous consent may be in order to the committee amendments which have already been adopted or disagreed to.

The PRESIDING OFFICER. As in Committee of the Whole.

Mr. FRYE. As in Committee of the Whole. That is the request of the Senator from Alabama.

Mr. PETTIGREW. I am not satisfied with the rulings of the Chair with regard to this matter of consent. In the first place, the Senator from Maine [Mr. FRYE] asks unanimous consent. The Senator from Alabama [Mr. PETTUS] was dissatisfied and wished a modification. While he was addressing the Chair for the purpose of securing the modification, the Chair declared that unanimous consent had been given to the request of the Senator from Maine. Is that the status of the case, Mr. President?

The PRESIDING OFFICER. The Chair thinks not. The Chair announced that the request of the Senator from Maine [Mr. FRYE] had been agreed to. Then the Senator from Alabama [Mr. PETTUS] was recognized, and he said he desired to secure a modification of that agreement.

Mr. JONES of Arkansas. There can be no question in my mind about the facts in this case. The Senator from Alabama states to the Chair that he was addressing the Chair when the Chair submitted to the Senate the question of unanimous consent. If the Senator from Alabama was suggesting a modification of the agreement, there was not unanimous consent, and the announcement of the Chair was a mistake, and it is not binding on the Senate. But as the matter has been agreed to all around by Senators, it seems to me that no harm can come from it, and it can not be used as a precedent hereafter. No mere announcement of the Chair could be construed as a unanimous-consent agreement if any Senator was on the floor undertaking to make himself heard, even if the Chair failed to hear him.

The PRESIDING OFFICER. The Chair certainly does not wish to make any arbitrary ruling on the subject. He submits always to the will of the Senate.

Mr. PETTUS. I desire to say that I am entirely satisfied with the agreement which has been made.

Mr. PETTIGREW. But I am not satisfied. The point I make is this: If the Chair, when a Senator rises to object to a consent agreement, can say that the consent is granted, and thereby foreclose him, and then present another request for unanimous consent, it is a dangerous precedent which I am not going to submit to if I can help it. I do not care who is satisfied; I am not satisfied with that sort of ruling, for under it I could be shut out at any time the Chair could not see me, and he could decide that unanimous consent had been given whilst I was on my feet to object to it. There will be no more unanimous-consent agreements on anything if such a precedent is to be established.

The PRESIDING OFFICER. The Chair has stated distinctly, or he at least tried to do so, that he did not know that the Senator from Alabama was on his feet for the purpose of objecting. If the Chair had known that, he certainly would have recognized the Senator. The Chair did recognize him at once upon his rising; the Senate has complied with the request which he made, and the Senator from Alabama states that he is satisfied.

Mr. PETTIGREW. Yes, Mr. President; but you asked for a second consent, thereby ruling that the first one was disposed of. That is the thing to which I object.

The PRESIDING OFFICER. The Chair put the question to the Senate for consent as it was asked by the Senator from Alabama.

Mr. PETTIGREW. I know; but as I understand, we then have two unanimous-consent agreements.

The PRESIDING OFFICER. The Chair can not enlarge the request of the Senator from Alabama. It was stated by the Chair precisely as stated by that Senator, or at least the Chair tried to so state it.

Mr. PETTIGREW. We have, then, two unanimous-consent agreements—the one asked for by the Senator from Maine and the other asked for by the Senator from Alabama.

The PRESIDING OFFICER. One modifying the other.

Mr. PETTIGREW. If it is put in the shape of one modifying the other, I have no fault to find; but if it is two consent agreements, I have fault to find, and there will be no more unanimous-consent agreements on any subject.

The PRESIDING OFFICER. The Chair understood the Senator from Alabama to ask that the request of the Senator from Maine be modified, and that the Senate consented to that modification.

Mr. ALLISON. Mr. President, I understood the Senator from Maine having this bill in charge stated the unanimous consent that was reached by the two suggestions, which is that the amendments of the committee shall be first considered as in Committee of the Whole, and after those amendments shall have been considered and acted upon, then while in Committee of the Whole any amendment will be still in order, whether consistent or inconsistent with the amendments proposed by the committee.

The PRESIDING OFFICER. The Chair so understands the agreement.

Mr. ALLISON. I thought the Senator from South Dakota did not hear the exact statement.

Mr. PETTIGREW. I understood that the Chair ruled that the consent requested by the Senator from Maine had been disposed of, and then he asked an additional unanimous consent on the part of the Senator from Alabama. That impliedly ruled that the consent first asked was granted, and there could be no modification except by another consent. Any Senator could have objected to the second request for unanimous consent, and then the first one would have stood unmodified. That I do not propose to tolerate.

Mr. JONES of Arkansas. I was just going to say that I thought it was generally understood that the Chair did decide that the request of the Senator from Maine for unanimous consent was agreed to, but subsequently, learning that the Senator from Alabama was on his feet wanting to modify the consent, the Chair submitted the proposed modification to the Senate; and that has been agreed to as well as the other. I did not understand there was any claim that there were two unanimous consents, but a single unanimous consent.

Mr. PETTIGREW. But suppose there had been an objection to the second request; would not the first have stood?

Mr. JONES of Arkansas. Then both would have gone.

Mr. PETTIGREW. With that understanding on the part of the Chair, I am entirely content.

The PRESIDING OFFICER. The Chair understands the matter as stated by the Senator from Arkansas [Mr. JONES].

Mr. PETTIGREW. Very well.

Mr. VEST. Mr. President, is the bill now before the Senate?

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole, and it will be read.

Mr. VEST. Has the bill been read?

The PRESIDING OFFICER. The bill has not been read, but it will be read for amendment, under the unanimous consent agreement. The Senator from Missouri [Mr. VEST] is entitled to the floor if he desires to address the Senate.

Mr. FRYE. The Senator from Missouri desires to address the Senate now, and I ask that the reading of the bill may be suspended until he can conclude.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. VEST. Mr. President, the pending bill comes before us ostensibly from the Committee on Commerce. It really comes from a committee of promotion, composed of twenty-five very respectable and even eminent gentlemen, four of whom are members of the Senate and one a member of the coordinate branch of the

legislative department, selected by the junior Senator from Maine [Mr. FRYE].

The chairman of this committee of promotion is Mr. Clement A. Griscom, of Philadelphia, president of the International Navigation Company, a gentleman of high character, great intelligence, and wonderful energy. The company he represents is the largest beneficiary by far under the provisions of this proposed legislation. No just and fair man can blame Mr. Griscom for endeavoring to do the best he can for his corporation and its stockholders.

I have no criticism to make of the personnel or motives of this committee of twenty-five, but I must be permitted to express my surprise and regret that, as formed by the junior Senator from Maine, there was not upon this committee one member who was willing that a citizen of the United States should be permitted to buy his ship where he could buy it cheapest and sail it under the flag of his country. In other words, to use the language of the Senator from Maine, this committee of twenty-five is unanimous in favor of the obsolete and outrageous navigation laws which are a stain upon the statutes of the United States, and which for fifty years have been riding our merchant marine to death, as the Old Man of the Sea rode to exhaustion Sindbad the Sailor.

I express my surprise, Mr. President, at this announcement of unanimity on the part of this committee, because there is one member of the committee whose antecedents and prior history would have led us to believe that he would never advocate the navigation laws or oppose free ships. The Commissioner of Navigation, Mr. Eugene Chamberlain, of New York, is now one of the most active and enthusiastic advocates of subsidies and of the exclusive features of the navigation laws. Mr. Chamberlain was appointed as a Democrat in 1893 by President Cleveland, and he signalized his advent to office by a violent attack upon the navigation laws and an earnest advocacy of free ships. From his report of 1894 I ask the Secretary to read a short extract.

The PRESIDING OFFICER (Mr. ALDRICH in the chair). The Secretary will read as requested.

The Secretary read as follows:

[Commissioner of Navigation, 1894.]

If the laws are to be equal and the American doctrine of equal opportunities under the laws for all is to be preserved, the privilege of the use of his own flag over his own property should be granted to every citizen on equal terms with every other citizen.

Mr. VEST. In 1895 the Commissioner of Navigation repeated and emphasized with all the power of rhetoric his adherence to free ships and his undying opposition to the navigation laws. In October, 1896, the Commissioner of Navigation, metaphorically speaking, stepped out on the back porch one sunny morning and looking up at the kitchen chimney saw that the smoke was drifting toward the Republican camp, and the Commissioner drifted with the smoke. In his report for 1895 he denounced subsidies, and specifically stated that France had given \$19,000,000 for subsidies and Italy had given \$13,000,000 and these expenditures had amounted to nothing; that but for the fact that the people of those countries were permitted to buy their ships where they could buy them cheapest their merchant marine would have disappeared from the ocean. He said in that report that every civilized country, and even China, had abolished these navigation laws, and it remained for the people of the United States alone to be subjected to their outrageous obligations.

In 1898 the Commissioner of Navigation, having gone over absolutely to the subsidy camp and contradicted every assertion and every argument that he had made previous to that time, declared that for \$4,000,000 a year in subsidies the merchant marine of the United States could be restored, and that for five or six millions, scientifically administered, as he expressed it, the merchant marine of this country could be made second alone to that of Great Britain.

In 1899 the Commissioner of Navigation for the first time undertook to explain his extraordinary conversion, and he said then that he was advocating subsidies and had abandoned his opposition to the navigation laws because the cause of free ships was hopeless, and that the only chance to restore the merchant marine was by adopting subsidies as proposed in the pending bill.

Mr. President, the Commissioner of Navigation would have escaped any criticism from me, because I have been long enough in public life to recognize the fact that changes are frequent with public men and that all of us to some extent may be criticised for having changed our views on public questions, but when the commissioner undertakes to shield himself by stating what is not true in regard to others of us who are not so facile upon public questions I am compelled to notice his published statements giving the reasons I have named for his change upon this great question.

In the report of 1899 the Commissioner states that he found the cause of free ships to be hopeless, because in 1895 he requested the junior Senator from Maine, the chairman of our Committee on Commerce, to introduce a bill, Senate bill 189, repealing the

navigation laws and giving the privilege to an American citizen to buy a ship where he could buy it cheapest and to put it under our flag; and he said when that bill came before the Committee on Commerce there was not a favoring voice in its behalf. In other words, he undertakes to put those of us upon that committee who have been consistent and persistent in opposition to the navigation laws in the same category with himself.

I have been a member of the Committee on Commerce for more than twenty years. I have never failed on any occasion, in the Senate or in the committee, to favor the repeal of the navigation laws; and I have never failed to defend and advocate free ships. I know that it is unparliamentary to speak in open Senate as to what has occurred in committee; but I have the right under the rules to speak for myself. I remember distinctly that vote in committee. I voted for the bill which the Commissioner of Navigation prepared, and spoke for it in committee, and was prepared to speak for it in the Senate; and three other Senators voted with me, who can answer for themselves. I declare here to-day that this statement of the Commissioner of Navigation is without any other foundation than his desire to protect himself in his extraordinary change by involving in the same category men who are not in the habit of abandoning any cause because a majority is against it. Any timeserver can float with the current. It is a brave and honest man who adheres to his opinions notwithstanding the overwhelming opposition that may exist against them.

Mr. President, permit me to advert to a statement in this connection made by the Senator from Ohio [Mr. HANNA], which is simply one of fact. That Senator, in his earnest and vehement address in behalf of this bill, claimed that the decline of the American merchant marine was caused by the civil war, which commenced in 1861 and terminated in 1865. I deny it. I interrupted the Senator at the time he made the statement to enter a denial, and I now repeat it. The official table, which I have before me and which I will ask to have inserted in my remarks without being read, shows what I will state.

The PRESIDING OFFICER. Without objection, the request of the Senator from Missouri will be complied with.

The table referred to is as follows:

Total imports and exports in vessels.

Year ending June 30—	Value in American vessels.	Value in foreign vessels.	Total.	Per cent carried in American vessels.
1850	\$239,272,084	\$90,764,954	\$330,037,038	72.5
1851	316,107,232	118,505,711	434,612,943	72.7
1852	294,735,404	123,219,817	417,955,221	70.5
1853	346,717,127	152,237,677	498,954,804	69.5
1854	406,698,539	170,591,875	577,290,414	70.5
1855	405,485,462	181,139,904	586,625,366	75.6
1856	482,268,274	159,336,576	641,604,850	75.2
1857	510,331,027	213,519,796	723,850,823	70.5
1858	447,191,304	180,096,267	627,287,571	73.7
1859	465,741,381	229,816,211	695,557,592	66.9
1860	507,247,757	255,040,793	762,288,550	66.5
1861	381,518,788	236,478,278	617,997,066	65.2
1862	217,695,415	218,015,296	435,710,714	50
1863	241,872,471	343,056,031	584,928,502	41.4
1864	184,061,496	485,793,548	669,855,044	27.5
1865	167,402,872	437,010,124	604,412,996	27.7
1866	325,711,861	685,226,691	1,010,938,552	32.2
1867	297,834,904	581,330,403	879,165,307	33.9
1868	297,981,573	550,546,074	848,527,647	35.1
1869	289,956,772	586,492,012	876,448,784	33.1
1870	352,969,401	638,927,488	991,896,889	35.6

Mr. VEST. The table shows that in 1855, six years before the commencement of the civil war, the exports and imports of the United States carried abroad and brought into this country in American-built ships under the American flag represented 75.6 per cent of our carrying trade. In 1861, before a hostile gun was fired or a Confederate cruiser had been seen upon the ocean, our merchant marine had fallen off to 65.2 per cent, more than 10 per cent in six years. It is true that the civil war accelerated the decline of the merchant marine in this country, as maritime wars always affect injuriously the merchant marine of the combatants. From 1861 to 1865 our merchant marine declined from 65.2 per cent to 27 per cent, because the *Alabama*, the *Shenandoah*, and the *Florida* were menacing the wooden sailing vessels of the United States upon the ocean.

The Senator from Ohio triumphantly cites the fact that in 1861 American citizens owned more tonnage in the foreign trade than ever before. That is true. But the Senator overlooks the significant fact that the tonnage of 1861 consisted of wooden sailing vessels which could not compete upon the ocean with the iron hulls propelled by steam that England was then manufacturing. A great revolution in the merchant marine of the United States and of the world occurred after 1850. Wood and sails were abandoned and steam and iron and steel took their place. The old wooden sail vessels owned by our people in 1861, in the foreign

trade, had become absolutely useless when brought into competition with the modern steamships which England was then putting upon every ocean and sea in the world.

I call the attention of the Senator from Ohio and the advocates of this bill to this fact, which seems to me unanswerable: If the civil war caused and originated the decline of American shipping, why did not our merchant marine reappear upon the ocean after that war ceased? The cause being removed, the disease should have stopped. But so far from stopping, our merchant marine continued to decrease until in 1900 there was but 9 per cent of the commerce or the exports and imports of the United States carried in American-built ships under the American flag.

We are told, Mr. President, by the Senator from Maine, that even if free ships were given to the American people they could not be sailed under our flag, on account of the difference of cost in their management upon the ocean, and that the difference in wages is the principal cause why free ships would not be made available to the people of the United States, even if the navigation laws were repealed. Mr. President, I cite the Commissioner of Navigation in another report, in answer to his colleague upon the committee of twenty-five, as to the contention I have named. I will ask the Secretary to read two extracts from the Commissioner of Navigation, in which it seems to me he fully refutes the statement that if we had free ships the people of the United States would not, on account of the difference in the cost of navigating them under the American flag and foreign flags, avail themselves of this privilege.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

[Report of the Commissioner of Navigation for 1894, page 30.]

As matters stand, the rates of wages in American ports do not materially affect the cost of operating our trans-Atlantic and trans-Pacific steamships. They ship nearly their entire crews at their ports of entry, paying virtually the same rates of wages for the same service as are paid on British vessels. The rates of wages for able seamen and other ratings at New York, Philadelphia, and San Francisco for trans-Atlantic and trans-Pacific steamships apply to less than 300 men, outside of about 350 who have recently been shipped as firemen, trimmers, oilers, and coal passers for the *New York* and *Paris*.

[Report of Commissioner of Navigation Eugene T. Chamberlain for year 1895, pages 14-15.]

The practice of those engaged in navigation for the purposes of legitimate profit is most valuable evidence to those engaged in the improvement of laws. The managers of our three American transoceanic steamship lines presumably are as loyal and patriotic Americans as those who make or enforce the laws which govern them. Self-interest has forced them to buy steamships abroad, because steamships can be obtained there on more advantageous terms than at home. There can be no other reason. It is sometimes argued that the cost of operation, and especially the factor of the difference in wages of seamen prevents navigation under the American flag. Some attention in detail was paid to that claim in the report of the Bureau last year; but without covering ground already traversed it will be sufficient to direct notice to the fact that if cost of operation, instead of first cost of construction, were the difficulty with which American shipowners have to contend we should meet with frequent cases of American-built steamships transferred to foreign flags and operated under those flags by American owners. Such is not infrequently the case with British vessels transferred to the Norwegian flag. But there are no such instances of American-built vessels transferred to foreign flags, while there are many instances of foreign-built vessels bought abroad by Americans.

Mr. VEST. I might leave my argument in regard to the contention of the Senator from Maine to the complete refutation made by his colleague upon the committee, the Commissioner of Navigation, but I desire to call attention to the following fact, which I have never heard answered. It has no charm of novelty, for it has repeatedly been urged in the public press and in this Chamber, and I have never yet heard any sufficient reply to it. I allude to the simple fact that every intelligent man knows that Great Britain pays larger wages and spends more in navigating her ships than any country in the world except the United States. We have heard repeatedly from the Senator from Maine how cheaply the Norwegians navigate their ships, their sailors living on black bread and smoked fish. To-day Great Britain carries 3 per cent more than one-half the carrying trade of the whole world. If the difference in the cost of navigation, and especially in wages, would prevent Americans who own American-built ships from navigating them, why is it that England to-day commands more than one-half the merchant marine, by 3 per cent, over all the nations of the earth? What answer can be made to this? Why is it that, go where you will, to-day you see the British flag floating at the masthead of its steamers?

Six years ago I happened to be in Europe, and in the second largest port in the world, that of Hamburg. I saw 152 steamships in the harbor, and nearly two-thirds were under the British flag and not one under the flag of the United States. No answer can be made to this significant fact.

England was wise enough to do what we in our stolidity and stupidity have refused to do. In 1849, when England discovered that the United States was constructing wooden sail vessels, the best in the world, and that the people of England could not successfully compete with us in this construction, she repealed her navigation laws, which were exactly like ours, and permitted her

people to buy ships where they could buy them cheapest and sail them under the British flag. The result was that our brethren in New England drove a profitable trade by selling their ships to the citizens of Great Britain, and England maintains still her equality, if not her supremacy, upon the ocean by purchasing the wooden ships, the fast clipper ships, of the United States.

About 1850 England commenced constructing iron hulls, propelled by steam, and there was a revolution, as I have already stated, in the merchant marine of the whole world. We could not at that time compete with Great Britain because she had the iron, the coal, the limestone, all in the immediate vicinity of the ocean, and the skilled labor with which to construct those iron ships. Instead of repealing these infamous navigation laws, a nightmare on the merchant marine of the country, New England was enabled by her political influence to retain them upon the statute books, where they are to-day, and the result was that our merchant marine commenced in 1855 to decline, until it has gone down, wasted like a patient with lung disease, and can hardly be said now to exist at all.

Germany, under the leadership of that great statesman, Bismarck, by far the greatest man in a hundred years this world has seen, finding that Great Britain was manufacturing these iron ships and that the merchant marine of Germany was disappearing from the ocean, immediately permitted her people to go over to the Clyde and purchase ships, and a fleet of six iron ships was constructed in the yards of Armstrong and brought back to Germany and put under the German flag, and the largest steamship in the German merchant marine to-day, the *Oder*, was built in Scotland by German citizens and brought back and put under the German flag. The result was that the shipyards of Germany commenced to thrive upon the repairs necessary to these ships bought abroad, and during the last two years Germany has sold over 40 war ships to foreign powers and is now competing successfully through her shipyards with those of the British Empire.

We are told, and dramatically, by the Senator from Maine and by the Senator from Ohio that the commerce of this country would be absolutely destroyed in the event of a naval war between two European powers; that, having no ships of our own, our exports would cease, our factories would close, our mines would be hermetically sealed, and the agricultural products of this country would rot in the warehouses. The Senator from Maine draws a ghastly picture of a naval war between Germany and England and asks what would become of the interests of the United States in such a contingency. Let me make a suggestion, although not an expert. Suppose a naval war should come—a great calamity—between Germany and England, and the United States Congress should then repeal the navigation laws and permit our citizens to buy ships where they could buy them cheapest and put them under our flag. Nine-tenths of the merchant marine of England and Germany would be for sale the minute such a war commenced, because with the improved war ships now upon the ocean and being built, steel-clad cruisers running 23 knots an hour, with heavy guns that throw solid shot and shell from 9 to 12 miles, every merchant vessel would hunt its harbor and remain there until peace was declared or be sold to the highest and best bidder, no matter what the price.

Repeal the navigation laws in such a contingency, and you could buy a merchant marine for one-third what it cost to construct it. We could name our own price. They would be glad to let us have their ships and to see the flag of the United States placed at their masthead. The same thing would occur, except in a much larger degree, that was cited as existing by the Senator from Ohio [Mr. HANNA] at the commencement of our civil war, when 630,000 tons of our wooden ships in the foreign trade were sold to foreigners at whatever they would pay for them. Nine-tenths of the merchant marine of Germany and England would be for sale. But the navigation laws will never be repealed as long as New England dominates the politics and policy of the United States. Mr. President, the navigation laws are a relic of barbarism.

Mr. HANNA. May I ask the Senator from Missouri a question?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Ohio?

Mr. VEST. Certainly.

Mr. HANNA. During that interim has there never been a time when the Democratic party in power could have repealed those laws, had they so desired?

Mr. VEST. Never, sir; never, never.

Mr. HANNA. Was there any time when they had the Executive and control in both branches of Congress?

Mr. VEST. Yes, Mr. President; and there never was a time when certain Democratic Senators from the seaboard States did not vote with the Republicans on this question. My personal experience indicates the truth of what I state. Unfortunately this question has been determined by local interests, very much as General Hancock once said about the tariff, that it was a local question. Never has there been a time in the twenty-one years that I have been in the Senate when we could have passed through

the Committee on Commerce a bill for the repeal of these outrageous navigation laws.

The whole tariff interests and influences of the country were arrayed in behalf of them. The tariff system is an interdependent mutuality of greed. Whenever you touch one part of that system every portion of it is in arms. The navigation laws embody the essence and spirit of barbaric exclusion. The idea that a citizen of the United States can not take his money and buy a ship and put it under his own flag is an insult to equality, an outrage upon justice, a standing monument to individual greed and avarice.

I stated, Mr. President, that these navigation laws are a relic of barbarism. They are worse. They came from an infamous coalition between the shipping interests of New England and the African slave trade. The proceedings of the convention of 1787 that framed the Federal Constitution show the truth of what I state. Luther Martin, a delegate from Maryland to that convention, after it had adjourned, addressed a letter to the legislature of his State, giving an account of his stewardship, in which he embodied the facts I am about to state. James Madison wrote the same thing to Thomas Jefferson, then a minister at Paris, and a succinct summary can be found in Wells's History of the American Merchant Marine, accessible to every Senator.

It appears that in the convention of 1787 there were two propositions pending at the same time. One was to insert a clause in the Constitution requiring a two-thirds vote of each House of Congress to enact navigation laws. The other was a proposition to extend the African slave trade to 1800. When these propositions came up for consideration Gouverneur Morris moved to refer them to a special committee of one from each State in order, as he expressed it, that a compromise or adjustment might be made, mutually satisfactory to both sections. The motion prevailed, and three days afterwards the special committee reported, striking out the clause requiring a two-thirds vote of each House of Congress to enact navigation laws, and extending the African slave trade to 1804.

The people of New England were anxious for navigation laws, because they had just commenced constructing the fast clipper ships, and the business was exceedingly profitable. The Southern States—Georgia and the two Carolinas—were anxious to extend the African slave trade, because the culture of cotton was becoming very profitable and they wanted more negro labor. New England had sold her negroes to the South, but there were not enough of them.

When the report was made to the convention General Pinckney, of South Carolina, moved an amendment, extending the slave trade to 1808. Madison and Mason, of Virginia, vehemently denounced the proposition, declaring that it was an insult to the humanity and intelligence of the American people. The vote was taken, each State casting one vote. I should have stated that when Pinckney made the motion it was seconded by Gorham, of Massachusetts. The vote was taken, and all the New England States, with New York, Maryland, Georgia, North Carolina, and South Carolina, voted in the affirmative, while Virginia, Pennsylvania, Delaware, and New Jersey voted in the negative. Hand in hand Massachusetts and South Carolina marched at the head of the procession, carrying the shipbuilding interests of New England and the African slave trade.

The South has paid a terrible penalty for that infamous conspiracy. She paid for it in 1861 with tears and ashes and blood. To-day her social system is deranged and her industrial system destroyed, and the man is a bold one who can prophesy what will be the result in the future.

But New England is rich and powerful. Her people have made money in every contingency and in every era in the history of our country. First they drove back the Indians, took their lands, and sold many of their chiefs into slavery in the West Indies. Then they pursued with great profit the African slave trade, and finally, in a war waged against the people to whom they had sold their negroes, after they had found them unprofitable, they had Government contracts which filled every savings bank in New England, until now they are the most powerful and the richest, relatively, of all the sections of this country.

I am not attacking the people of New England. I admire them; I admire their courage, their sagacity, their aggressiveness. With a sterile soil and an inhospitable climate they control the politics and the policy of the United States. They send their ablest men to both branches of Congress and keep them here as long as they can preserve the material interests of that section. It makes no difference how much these Representatives and Senators may differ with the people as to matters of sentiment and abstraction, if they are true to the material interests of New England, that is enough. The two Senators from Maine differ as widely as the North and South poles upon the foreign policy of the United States, but they are both here to-day by the unanimous vote of the legislature of Maine. The two Senators from Massachusetts

are equally diverse in their opinion as to the Philippine question and the Philippine war, but the people of Massachusetts send them both here because they know their ability and recognize their usefulness.

I hope I may be pardoned for quoting what a very eminent son of Massachusetts once said, the Hon. William M. Evarts, who remarked in a public speech that the Pilgrim Fathers landed on Plymouth Rock, fell on their knees, and then fell on the aborigines. [Laughter.]

New England is properly named, and I do not say it in any inimical feeling to her people. Old England, a little island up in the fogs and mists of the northern ocean, controls the literature, finance, and commerce of the world. New England, six small States, a majority of them not as large as counties in Missouri, controls the politics of the whole United States. There is no measure before the Senate or the other branch of Congress in which New England does not receive the largest share of the Government bounty.

Take this bill, Mr. President, and look at its provisions and you will read between the lines that it is a New England bill. Its chief sponsor is my friend, the junior Senator from Maine [Mr. FRYE], who has given his life to the cause of the navigation laws and his opposition to free ships. The navigation laws are to-day as dear to the people of New England as when they wanted a monopoly of constructing wooden ships. This bill was drawn by the most astute New England lawyer in existence, ex-Senator Edmunds, and his handicraft can be seen in every sentence and line of it.

It is no surprise that my friend from Maine so vehemently advocates this bill, because it is in entire consonance with his opinion in regard to the taxation system of the United States. In a speech delivered some years ago before the Home Market Club, of Boston, that distinguished Senator declared that if he had the power he would not allow another pound of foreign goods to come into this country to compete with the product of American manufacturers; and I have no doubt to-day that but for the profit of the export trade he and a majority of his colleagues would favor the announcement of Henry Carey, the father of protection, that if he could he would have the Atlantic Ocean an ocean of fire over which no foreign ship could pass.

This bill breathes the essence of exclusion. The principle upon which it is based is so obnoxious to the civilization of the world that even China has abandoned it. But we adhere to it, and the people of the United States are asked now to give up their tax money to the enormous amount of \$180,000,000 in twenty years in order to sustain this exclusive principle.

Mr. President, there is one clause in this bill apparently insignificant that shows its animus. There is a clause in the bill which provides that all documented vessels of the United States engaged in the deep-sea fishery for three months out of twelve, one-third of the crew being United States citizens, shall receive \$2 per ton for the twelve months, and that every American citizen shipping upon such a vessel shall receive \$1 extra pay per month, out of the Treasury of the United States, so long as he remains upon a voyage.

The Senator from Maine defends this provision enthusiastically, because he says it makes a nursery for sailors on the naval vessels of the United States. Why, Mr. President, what intelligent man does not know that the character of sailors has changed with the character of the ships upon which they sail? The vessels engaged in the deep-sea fishery are sailing vessels, not steam vessels. The sailors that are upon our war ships are not sailors that live in the rigging and who can exclaim with Lord Byron:

O'er the glad waters of the dark blue sea,
Our thoughts as boundless and our souls as free.

They live beneath the decks. They are stokers, firemen, gunners, engineers, marines. The old sailor of Gloucester, who fought the naval battles of 1812 and 1815, has passed from the foreign commerce of the world. Take one of the greyhounds of the American Line or of the Cunard or White Star Line for Europe, and if you see a sailor at all, a genuine sailor, during the whole voyage it is an accident. These vessels only carry enough sailors to-day to rig the sails in the event of an accident to the steam machinery. Steam is the great propelling power. As the Commissioner of Navigation says in his report for 1900, sailing vessels are becoming a thing of the past and are fast disappearing from the foreign trade of the world.

Mr. President, what nursery is it for the Navy of the United States to take fishermen from little smacks, unacquainted with steam machinery, and undertake to make them the fighting sailors required on our great war ships? It is an absurdity upon the face of it. Yet my people in Missouri are to be made to pay \$175,000 a year—that is the calculations of the Senator from Maine—for the purpose of encouraging the fishing trade on the banks of Newfoundland and the coast of New England, and to pay this additional bounty to American citizens who are engaged as seamen upon these vessels.

Have we not done enough in our general statutes for the fishermen of New England? Upon the prairies of Missouri the poor farmer, struggling to support his family and educate his children, killing a few hogs or a beef to furnish meat for his winter's use, must pay the price for salt which is asked by the great salt trust, protected and created by the Dingley tariff law. The meat packer of the West, great or small, is at the mercy to-day of the great salt trust. But the fisherman of New England receives his salt free with which to cure his fish by a special enactment in the Dingley law.

The farmer of Missouri and of the other Western States who wants to erect an humble cabin in which to rear his offspring and shelter them from the blasts and snows of winter must pay and has been paying an increase of 45 per cent during the last fourteen months upon lumber to the great lumber trust, which is day by day enriching the lumber barons of the Northwest. They are at the mercy of this trust, and appeal in vain to the Republican party, now in the majority, for relief. Yet the people of New England receive their lumber to-day free by a special enactment in the Dingley law. They own enormous tracts of lumber land in Canada, and under the provisions of the Webster-Ashburton treaty of 1842 they are permitted, after putting up large mills, worked by Canadian labor, to saw this lumber and then float it down the St. Johns River into New England without paying one cent tax to the Treasury of the United States.

The thrift, the energy, the sagacity of the people of New England, the facility with which they obtain special privileges under the laws of the United States, must excite our sincere admiration.

Mr. President, adverting for a moment again to the extraordinary statement of the Senator from Maine, that even if we had free ships, American citizens could not sail them on account of the difference in expense, especially wages, I want to call the attention of the Senate to the remarkable amendment to this bill proposed by the Senator from Maine. One clause of the bill provides, or did provide when originally offered, that all ships finished abroad, and a majority interest belonging, if a corporation, to citizens of the United States prior to January 1, 1900, and all such ships under contract belonging to American citizens and being built prior to January 1, 1900, shall be admitted to the benefit of the subsidies provided in this pending bill, provided that the owners will construct like vessels within ten years in the United States. These foreign ships admitted to registry are to receive one-half subsidy.

After this amendment had been pending in the Senate for some months, for a year, the Senator from Maine some three weeks ago proposed an amendment, dating back the time of limitation to February 1, 1899—in other words, providing that all vessels between February 1, 1899, and January 1, 1900, belonging to American citizens abroad, either finished there or being under contract, should be excluded from the provisions of this bill, thereby diminishing the number of foreign-built ships that could be benefited by this act.

I should like to know, most respectfully, if this is an honest provision; if it is intended to invite the construction of foreign ships and put them under the American flag upon our registry. How does the Senator from Maine expect a half-subsidized ship to come under the registry of the United States and compete with a ship fully subsidized, as American-built ships will be? If a foreign-built ship admitted to registry here can not be sailed, on account of the difference in expense under the American flag and a foreign flag, how can a half-subsidized ship, put under the same flag with the fully subsidized American-built ship, compete against the vessel I have last named?

I can conceive but one object of this amendment, and that is to put off as long as possible the time at which the \$9,000,000 limitation and subsidy for the year shall be reached, when the pro rata grading process provided for in the bill shall apply to all ships. As a matter of course, the sooner the time comes for grading, the sooner the subsidies of ships originally entered under registry will be diminished, and the American line will cease to receive these enormous subsidies, by reason of the accession of rivals in the nature and form of these foreign-built ships that come in upon a half subsidy from abroad.

I have prepared with some care a synopsis of the provisions of this bill for convenient reference. Of course, I have not entered the amendments, because they have not been adopted. I will ask that this synopsis be inserted in the RECORD as a portion of my remarks.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. FRYE. Will the Senator please state what that paper is?

Mr. VEST. It is a synopsis of the pending bill. It may be read if the Senator so desires.

Mr. FRYE. Yes; let it be read.

The PRESIDING OFFICER. The Secretary will read the paper referred to.

The Secretary read as follows:

SYNOPSIS OF BILL.

(1) Every sail and steam ship belonging to citizens of the United States on the register of the United States shall receive after July 1, 1901, for not exceeding 16 voyages in any one year, if entered for the foreign trade, from any port of the United States to a foreign port not less than 150 miles distant, a subsidy of 1½ cents per gross ton for every 100 nautical miles up to 1,500 on the outward and homeward voyage and 1 cent for every 100 nautical miles over 1,500 miles.

(2) In addition to the above subsidy, all steam vessels belonging to citizens of the United States, entered for the foreign trade as above stated, which are suitable for carrying the mails or to be auxiliary ships in time of war, shall receive the following additional subsidies per ton for each 100 nautical miles, viz:

Vessels over 2,000 gross tons:

First. Twelve knots and less than 14 knots, five-tenths of 1 cent per gross ton.

Second. Fourteen knots and less than 15 knots, 1 cent per gross ton.

Third. Fifteen knots and less than 16 knots, 1.1 cents per gross ton.

Fourth. Sixteen knots or over, 1.2 cents per gross ton.

Vessels over 4,000 gross tons:

Fifth. Seventeen knots and less than 18 knots, 1.4 cents per gross ton.

Sixth. Eighteen knots and less than 19 knots, 1.6 cents per gross ton.

Seventh. Nineteen knots or over, 1.8 cents per gross ton.

Vessels over 10,000 gross tons:

Eighth. Twenty knots and less than 21 knots, 2 cents per gross ton.

Ninth. Twenty-one knots or over, 2.3 cents per gross ton.

(3) All foreign-built vessels belonging to citizens of the United States which on February 1, 1899, were engaged in an established freight and passenger business, or both, from a port of the United States, and which are classed as "A 1;" and

All foreign-built steamships owned by citizens of the United States, which were completed prior to February 1, 1899, or, if in process of construction, the contracts for constructing the same shall have been filed with the Secretary of the Treasury prior to February 1, 1899, shall be admitted to American registry: *Provided*, That the full title to said ships shall be obtained by said citizens of the United States, and they shall bind themselves to construct in the United States within ten years vessels of an equal tonnage.

(4) All citizens of the United States may, within five years after the passage of this act, contract with the Secretary of the Treasury to construct within five years any of the vessels heretofore mentioned, the same to be admitted to registry and to become entitled to subsidies herein provided.

(5) The owners of all vessels built in the United States under the provisions of this act shall receive subsidy for ten years, if said vessel shall have been completed prior to January 1, 1900, and full subsidy for twenty years if such vessels have not been completed prior to said date.

(6) No subsidy shall be paid to the owners of any existing vessels of the United States until they give bond for the construction, within five years, of at least 25 per cent of the tonnage of the vessel receiving subsidy.

(7) All foreign-built vessels admitted to registry in the United States under this act shall receive only 50 per cent of the subsidy allowed to United States built vessels of the same tonnage, and no contracts shall be made by the Secretary of the Treasury after ten years from the passage of this act; nor shall any subsidies be paid after twenty years from said date, the amount of subsidy being limited to \$9,000,000 for each fiscal year.

(8) No vessel registered in the United States shall be entitled to subsidy unless one-fourth of her crew shall be citizens of the United States, but if such proportion of citizens of the United States can not be reasonably obtained the shipping commissioner or consul at the port may allow the whole crew to be foreigners.

(9) No vessel of the United States shall be entitled to full subsidy unless it shall have cleared from a port of the United States with a cargo to the amount of 50 per cent of its capacity for carrying commercial cargo. In calculating the amount of commercial cargo, 2,240 pounds, or 40 cubic feet of space, shall constitute a gross ton, and in the case of passenger vessels carrying the mails, a condition precedent to allowing subsidy shall be that the said vessels carry cargo to an amount equal to one-half the difference between the gross tonnage of the vessel and its commercial capacity. If the space representing the commercial capacity of any ship shall be sold for any length of time, then the space so sold shall be counted as if filled with cargo.

(10) All documented vessels of the United States engaged in the deep-sea fisheries for three months in any year shall receive \$2 per gross ton for the year, and every citizen of the United States serving as a member of the crew for three months in any year shall receive \$1 per month for the time he is so employed: *Provided*, That one-third of the crew of said vessel shall be citizens of the United States.

Mr. VEST. Mr. President, when this measure was pending before the Committee on Commerce of the Senate, I asked ex-Senator Edmunds, who appeared for Mr. Griscom as his attorney, if it was not a purely subsidy bill. He replied emphatically, almost indignantly, that it was not, that it was a bill to provide auxiliary cruisers for the naval power of the United States in time of war. The absurdity of that proposition was so apparent to me that I could not believe it to be absolutely sincere, with great respect to ex-Senator Edmunds. The idea that even the fast greyhounds of the American line, running from 20 to 21 knots an hour, could be available as auxiliary cruisers in naval warfare in this era simply excites ridicule. What chance could the *St. Paul*, or the *St. Louis*, or the *Paris*, or the *New York* have upon the ocean in the event that we engaged in warfare with Germany or England, or even France?

What sort of equality could there be between a wooden ship improvised into a cruiser running 21 knots an hour and a steel-clad cruiser running 23 knots an hour, with guns carrying from 8 to 12 miles? Dewey, at Manila, stood off with his ships 24 miles and smashed the Spanish fleet to pieces like an eggshell struck by a thunderbolt and did not lose a man. Now, imagine the *St. Paul* or the *St. Louis* or the *Paris* or the *New York* encountering at a distance of even 10 miles the steel-clad cruiser of a foreign nation, built after the approved fashion in which those vessels are now constructed. Why, Mr. President, they are not fit even for transports. The naval warfare of the world has been completely changed. I saw it announced in an English

newspaper last week that England was now about to attempt the construction of a steel-clad battle ship to run 25 knots an hour, with guns that would carry from 14 to 16 miles.

But, Mr. President, after ex-Senator Edmunds had made this reply to me he addressed a letter to the chairman of the Committee on Commerce, my friend from Maine, upon the subject of export bounties upon agricultural products, in which he declared that such bounties were unconstitutional. In this letter, which I consider most valuable from my standpoint, ex-Senator Edmunds expresses great doubt as to whether the sugar-bounty tax, which was put into the McKinley law, was constitutional, although he voted for it. The then Senator from Kansas, Mr. Plumb, now dead, stated upon the floor of the Senate—and it can be found in the CONGRESSIONAL RECORD—that both the Senators from Vermont told the Committee on Finance when they were trying to pass the McKinley bill in the Senate—the margin of votes being very close—that unless the maple sugar of Vermont also received a bounty, they were to be counted against the bill. [Laughter.] Maple sugar was included, and I saw afterwards in a Montpelier paper a rather singular litigation between two Vermont farmers upon rocky adjacent farms. It seemed that there was a large sugar-maple tree growing on the division line between them, and the question was who should have the bounty out of the sugar water. They finally compromised in open court with the agreement that each one should put his auger into the opposite side of the tree; and a double-barreled bounty was thereby instituted, greatly to the satisfaction of the lawyers. [Laughter.]

I am delighted to know now that ex-Senator Edmunds has doubts about the constitutionality of bounties. He knows, as every intelligent reader of our political history knows, that in the convention of 1787 it was proposed deliberately that Congress should have power to grant bounties on manufactures, commerce, and agriculture. The proposition was referred to a committee and never reported back to the convention. The Supreme Court of the United States has never decided that Congress had the power to grant subsidies. They evaded it in the Louisiana sugar case, they evaded it in the Pacific Railroad cases, and they have never come up squarely and decided that Congress has the power to grant these bounties. Senator Edmunds obviously believes that they have no such power. He bases the power of Congress to pass this pending bill upon the fact, as he asserts, that this is a bill to strengthen the Navy of the United States. I ask the Secretary to read that portion of his letter which alone is pertinent to the issue I now make.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

The Constitution of the United States as it now stands is designed to prevent Congress as well as the States from enacting any class legislation whatever. Equal rights and equal opportunities to engage in any business or enterprise, and to receive equal or corresponding benefits from public expenditures, are among the fundamental principles embodied in that instrument. Congress may raise and support armies and navies, and do whatever is fairly incidental to those ends, and thus may provide for inducing the building of ships which may be taken and used in the national defense. It may possibly grant bounties on the exportation of all the products of the country as a means of improving commercial relations with other countries. But if it discriminates by granting bounties on the exportation of particular classes of products it does at once establish a governmental difference in favor of those particular classes and against all other products capable of and designed for similar exportation. It is clear to me, therefore, that a bounty on the exportation of woolen goods or wheat, for instance, while the exportation of cotton goods or corn was left unaided, would be in violation of the Constitution. I think, then, that a law granting a bounty on agricultural products alone, as has been suggested, could not be upheld, just as a bounty on the exportation of manufactured products alone could not be upheld.

If a bounty on exports is to be granted, it must apply to all exports. If such a course of legislation can be maintained at all, it must be on the ground that it is impartial and universal. The instance in our history of the fisheries bounty stood on the principle and policy of providing seamen for national defense. And the sugar bounty of a few years ago, if it could have been held valid at all, which is extremely doubtful, must have been upheld on the ground of the special and peculiar circumstances attending that subject.

A general bounty on exports, if valid, must necessarily be equal, value for value, and if large enough to reach and benefit the original producers and manufacturers would be startling in amount. Every class of industry can be benefited in only two ways:

First. By increasing sales at home and abroad.
Second. By cheapening the cost of carriage from the purchaser to the consumer; and this can in the main only be done by enlarging the means of transportation and thus reducing prices of carriage through competition. It is true that the original cost of production can be reduced by a reduction of the wages of labor, which labor constitutes in almost all, if not in all, cases a very large proportion of the value of the thing produced; but such a means of promoting national happiness or welfare would have the opposite effect.

I have condensed these considerations in respect of bounty, and in respect of the opposition to the bill by those favoring the bounty, to the smallest compass, knowing that the committee will understand the points I have suggested and the extensive range of considerations that enter into the subject.

Very truly, yours,

GEO. F. EDMUNDS.

Hon. WILLIAM P. FRYE,
Chairman Committee on Commerce.

Mr. VEST. Mr. President, I congratulate every honest and sincere Democrat upon this accession to the ranks of the party which

has always contended that absolute equality was the basis of free institutions.

It will be observed that ex-Senator Edmunds declares unequivocally that a bounty to any class or any interest or any one product violates the Constitution of the United States. How, then, is it that a bounty to shipbuilders and shipowners is not a violation of this spirit of equality? If the shipbuilder and shipowner is entitled to bounty, why not give a bounty in years of distress in the agricultural districts to the farmer and the cattle raiser? Why not give a bounty to the miner? If we enter upon this broad domain of opening the Treasury and dispensing the tax money of the people at the discretion or the will of Congress, where is the end and what is the limitation?

I would like to know from ex-Senator Edmunds—and no one is more capable of answering than that distinguished lawyer—what is the effect of the first clause of the first section of this bill, clause a, which gives a bounty of 1½ cents per ton for each 100 nautical miles to every vessel, sail or steam, without regard to speed or tonnage, on its homeward and outward voyage for the first 1,500 miles, and 1 cent per ton on every hundred miles over 1,500 to any distance? Are these vessels to be auxiliary to the naval power of the United States in time of war? Who would suppose that these old sail vessels, without steam, could be made available now as auxiliary ships?

The second clause, clause b, provides that vessels suitable for carrying the mails and to be auxiliary cruisers shall receive an additional bounty for each 100 nautical miles up to 1,500 ranging from 1 cent a ton on 2,000-ton vessels of 12 knots an hour up to 2.3 cents upon vessels over 10,000 tons and running 21 knots an hour. It gives them, in addition to the first bounty of 1½ cents, 2.3 cents, making nearly 4 cents a ton for every 100 nautical miles up to 1,500, and an additional bounty over that distance.

If it be said that the clause in the bill which provides that one-fourth of the crew of all subsidized vessels shall be American citizens assists the naval power of the United States, my reply is that it is nullified by the succeeding section, which provides that this clause may be remitted by any officer in any port, foreign or domestic, and we all know that a crew will be furnished to any vessel by the officer at any port when the exigency arises.

If it be said that there is a clause which provides that apprentices shall be taken upon every subsidized vessel and wages paid to them by the master or owner of the ship, my reply is, even this can be nullified by the Secretary of the Navy or the Secretary of the Treasury, and every master of a vessel or every owner would be here in Washington, so soon as he is called upon to take an apprentice, to be relieved from this supernumerary member of the crew to whom he is compelled to pay these wages.

Mr. President, I say respectfully—for I have great respect for the Senator from Maine—that all this talk about auxiliary cruisers is the merest subterfuge, a mere glamour, an appeal to the old flag in order to cover an unjust appropriation. This is not a question of rhetoric; it is not a question of declamation. The Senator from Ohio [Mr. HANNA] closed his strong and forcible speech in a burst of patriotic ardor which evoked unstinted applause from the galleries. I was glad to hear it; but I could not help thinking, with great respect, of the story told by Henry Watterson of that distinguished actor, in the early days of Kentucky, who always brought down the house at the close of the last act by wrapping himself in the American flag, while the orchestra, consisting of one violin and a bass drum, played Yankee Doodle, rushing to the footlights, firing off a horse pistol, and screaming like the American eagle. [Laughter.] It is always entirely admissible here or elsewhere in this republican Government to appeal to the flag, but I hardly think, Mr. President, that the people of the United States, even under the impetus of this foreign war, can be made to indorse an appeal which takes out of their tax money these enormous subsidies for any special interest, no matter what it may be.

Now, Mr. President, I venture upon an inquiry which has been somewhat severely criticised as to who will be the recipients of this bounty. I never heard but one argument for a high protective tariff that I thought more than plausible, and that was the encouragement to be given to infant industries. To give a subsidy at all is, in my opinion, unjustifiable and unconstitutional, but to give one to wealthy corporations that do not need it is naked robbery under the forms of law.

Who are to be the recipients of the bounties provided for in this bill? I ask here to have inserted, without it being read, the report of the Commissioner of Navigation, containing estimates of the subsidies that would be paid to different steamship lines and to individual ships if this bill should be enacted into law.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. BACON. Let it be read.

Mr. VEST. Very well; let it be read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Name.	Speed.	Gross tons.	Route.	Cents per round voyage.	Round voyages.	Per voyage.	Total.
St. Louis	21	11,629	New York to Southampton, 3,100 miles.	219.6	14	\$25,537.28	\$357,521.92
St. Paul	21	11,629	do	219.6	13	25,537.28	331,984.64
Paris	20	10,669	do	201	13	21,444.69	278,780.97
New York	20	10,674	do	201	13	21,454.74	278,911.62
		44,601					1,247,199.15
Havana	17	5,667	New York to Havana, 1,215 miles.	69.6	15	3,944.23	59,163.45
Mexico	17	5,667	do	69.6	15	2,944.23	59,163.45
City of Washington	15	2,683	do	62.4	11	1,674.19	18,416.09
Saratoga	14	2,820	do	60	11	1,692.00	18,612.00
Seguranca	14	4,033	New York to Havana, Vera Cruz, 2,624 miles.	95	11	3,831.35	42,144.85
Vigilancia	14	4,115	do	95	11	3,909.25	43,001.75
Orizaba	14	3,497	do	95	11	3,322.15	36,543.65
Seneca	14	2,729	do	95	11	2,592.55	28,518.05
Yucatan	14	3,527	do	95	11	3,348.75	36,836.25
		34,736					342,399.54
Admiral Dewey	15	2,104	New York to Kingston (Jamaica), 1,473 miles.	72.8	16	1,531.71	24,507.36
Admiral Farragut	15	2,104	do	72.8	16	1,531.71	24,507.36
Admiral Sampson	15	2,104	do	72.8	16	1,531.71	24,507.36
Admiral Schley	15	2,104	do	72.8	16	1,531.71	24,507.36
		8,416					98,029.44
Caracas	14	2,877	New York to La Guayra, 1,843 miles.	87	13	2,502.99	32,538.87
Philadelphia	14	2,520	do	87	13	2,192.40	28,501.20
		5,397					61,040.07
China	17	5,061	San Francisco to Japan, Hongkong, 6,141 miles.	306	6	15,334.83	92,008.98
City of Peking	14	5,080	do	255	6	12,954.00	77,724.00
City of Rhode Janeiro	14	3,548	do	255	6	9,047.40	54,284.40
Peru	14	3,528	do	255	6	8,996.40	53,978.40
		17,217					277,995.78
Victoria	14	3,562	Seattle to Japan, Hongkong, 5,771 miles.	243	6	8,509.86	51,059.16
Alameda	15	3,158	San Francisco to Sydney, 6,448 miles.	283.8	6	8,962.40	53,774.40
Australia	15	2,755	do	283.8	6	7,818.69	46,912.14
Mariposa	15	3,158	do	283.8	6	8,962.40	53,774.40
		9,071					154,460.94
Grand total		122,940					2,232,184.08

Mr. VEST. A great many calculations have been made as to the amount of subsidy or bounty which would be received, under the provisions of this bill if enacted into law, by the American International Navigation Company. All these calculations are to a considerable extent conjectural, for the very obvious reason that the bounty received by those vessels will be in proportion to the number of voyages they make. In the report, for instance, which has just been read, the *St. Louis* would receive, having made 14 voyages in 1898, \$357,521.92 under this bill, a little more than \$25,000 for each trip, on the average. The *Paris*, having struck the Lizard Rock off the coast of France and being laid up for repairs for a number of months, would earn for that year in subsidy only \$97,000, and it will be noticed that the pious Commissioner of Navigation selects the year in which the *Paris* was disabled in order to make one of his reports upon the subsidies granted to these greyhounds of the ocean.

I notice in the publication of a letter from the Senator from Maine to the Hon. Whitelaw Reid that the Senator from Maine estimates the bounty for the whole of these four great vessels of the American Line at \$1,115,000 a year. The Commissioner of Navigation, in a former report, estimated that they would receive \$304,292 each during the year. As a matter of course, in justice to the company the mail pay should be deducted from the subsidies, because no subsidized vessel is permitted to collect any mail pay.

Taking off \$757,000 a year—it is really more than that; it is over \$800,000, but take off seven hundred and fifty-seven thousand, the statement of the Senator from Maine—from the annual amount of the subsidy which these vessels would receive, and including in the subsidy the 4 new vessels which are now building in foreign yards, steamships of over 17 knots speed and over 10,000 tons burden, and the two they are now building in the Cramp yards in this country, which I understand, and so the Commissioner of Navigation states, are over 10,000 tons burden and 17 knots speed, and putting at half subsidy the foreign-built ships and those they now have in the Belgian Line and under the British flag, amounting in all to 24 ships, it is safe to say that deducting from the aggregate of the whole subsidy for the twenty years \$1,500,000 annually the amount of all mail pay there would be about a hundred and fifty million dollars in subsidies, provided the subsidies were stopped at the end of twenty years; and they will continue longer upon the vessels that have been built within the past ten years in the United States, for they are entitled to the bounty for twenty years from the time they go under register.

But putting the mail pay at \$757,000 and deducting it and making a reasonable and low estimate upon the amount of subsidies upon all these twenty-four ships, the American Line will receive \$42,000,000 at least of the \$150,000,000 to be paid out by the Government of the United States, or more than one-fourth of the entire amount.

Mr. FRYE. Will the Senator allow me to call his attention to one point?

Mr. VEST. Certainly; with great pleasure.

Mr. FRYE. There is an amendment reported by the Committee on Commerce which excludes from any twenty-year contract all the American liners now under the American flag and also excludes all the foreign ships which are admitted to an American registry which were on the ocean prior to February, 1899, and all other American ships which were on the ocean prior to February, 1899. They get only ten-year contracts. So his estimate would have to be very largely reduced.

Mr. VEST. I made no specific estimate. I simply referred to the fact that some of these vessels from the time they went under registry would have a twenty-year subsidy; but, taking all the Senator says to be true, which I admit, for I have not overlooked that amendment, the American Steamship Line would unquestionably receive over \$40,000,000 of the \$150,000,000 subsidy.

Now, I call the attention of the Senate to the testimony taken before the Committee on Commerce, of which my friend the Senator from Maine is chairman. What is the financial condition of the principal beneficiary under this bill? When Mr. Griscom appeared as a witness before the Committee on Commerce, accompanied by his attorney, Mr. Edmunds, my colleague on the committee, the Senator from Arkansas [Mr. BERRY], asked Mr. Griscom this pertinent question: "Mr. Griscom, is not your company making money at this time, and have you not made money?" He declined to answer, and said it had nothing to do with the issue then before the committee. His lawyer, Senator Edmunds, saw that this would not do, and he immediately interposed, and said in a very suave but pertinent manner, "I think, Mr. Griscom, you had better answer that question. It might make a false impression upon the committee and the public." "Well," said Mr. Griscom, "we have made some money, but we have not been able to declare dividends to our stockholders. We make money in the summer and lose some in the winter."

I call attention to the fact that Mr. Griscom, who is a perfectly honest and a most intelligent gentleman, would, if he could in consonance with the truth, have stated that his company was not making money unless it was. The fact that they have declared no dividends is proof positive that they have made money, and that their stockholders are millionaires who do not need their dividends and therefore put it into the surplus fund and increase the value of their stock. The fact that the company has been continually building new ships is proof that they have made money and have a surplus.

They came to Congress in 1890 and besieged us to allow them to put the *City of New York* and the *City of Paris* under the American flag, on the condition that they would duplicate these great steamships in American shipyards; and the chairman of the committee reluctantly consented, as he himself states. They built in the United States the *St. Louis* and the *St. Paul*, and, as the Senator from Maine stated the other day, the *St. Louis* cost in the United States \$2,550,000, when it could have been built upon the Clyde for \$2,000,000. Where did the money come from to build in the United States these two great steamships which cost over \$5,000,000? Where did the money come from with which they are building four new steamships of 17 knots an hour speed and over 10,000 tonnage in foreign shipyards to-day, and two more steamships in the Cramp yards in the United States? Who does not know that those stockholders, who have made money, but have not declared any dividends, and whose stock is not for sale in Wall street, would never take the money out of their pockets and

advance the enormous amount necessary to build these new ships?

Mr. President, without entering into any hypercritical dissertation in regard to the finances of this company, it is manifest from the names of some of the stockholders that what I have stated here must be true. I do not know what are the relations between the Standard Oil Company and the Pennsylvania Railroad and the American Steamship Company. I only know that some of the stockholders in one company are stockholders in the others, and I do know that all the great railroad lines of the United States have intimate connections with the lines of steamships across the ocean.

James J. Hill, the president of the Great Northern, stated the other day, in an address carefully prepared, before the Chicago Board of Trade, that he was building two ships in the United States because he could build them more cheaply here than abroad—and he had carefully investigated the question—and that he wanted these ships to connect on the Pacific coast with his great railroad. It is well known that the Pennsylvania Railroad is in intimate relations with the American Steamship Company, and the president of the Pennsylvania Railroad is to-day a director in the American Company. I do not choose to indulge in invidious conjecture. I state facts known to all, and I assert that the American company is now running its ships at a profit, and yet coming to the Congress of the United States and asking for this enormous subsidy, which does not put one other ship upon the ocean that would not be placed there anyhow, whether this bill passes or not.

Mr. FRYE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Maine?

Mr. VEST. Certainly.

Mr. FRYE. Does not the Senator remember that in the same testimony given by Mr. Griscom he stated that they had lost money on the four ships continuously from the time they commenced running the four ships in the American line, and that they had supported those four ships by the earnings of the other vessels under the Belgian flag.

Mr. VEST. Mr. Griscom did make a statement of that sort, but I am considering all his ownership in ships, as I have a right to do. They will all come in for a subsidy—all these 24 ships—for they are A1 and can comply with the conditions specified in this bill. Mr. Griscom's company is not the only one that is running part of its business at a loss and making a profit upon the entire business. I was told by the late Mr. Plant, when at his hotel at Tampa, that he built that hotel knowing that he would lose money upon it, but he said, "I was compelled to build it in order to accommodate my guests upon my steamship lines to Havana, and in order to compete with my great rival, Flagler," who had taken possession of the eastern coast of Florida. It was part of his business; and his sagacity was evidenced by the fact that he made money upon his whole investment, although he might have lost money upon a part of it.

Mr. President, what beneficiary comes next to the American company under this bill. The Pacific Mail Steamship Line, now the property of the Southern Pacific Railway Company, well known to the readers of our parliamentary history; for one of the worst scandals that has ever disgraced the United States grew out of a subsidy granted to that company in former years which they sought to double by an act of Congress. They applied to the House of Representatives a number of years ago to double their subsidy of \$500,000. President Garfield was then a member of the House, as were General Butler, of Massachusetts, S. S. Cox, then of Ohio, and afterwards of New York, and a number of other most distinguished and able men. Garfield led in the debate against subsidies in general, ably seconded by the other gentlemen I have named. The result was, after a vicious fight for several days, the subsidy was defeated in the House.

When the naval bill was reported in the Senate it appeared with a clause doubling the subsidy to the Pacific Mail Steamship Line, making it a million dollars. It was immediately attacked by Chandler of Michigan, Morrill of Maine, Morton of Indiana, Sherman of Ohio, McCreary of Kentucky, and Edmunds of Vermont. Mr. Sherman declared for free ships—this outrageous and most treasonable scheme that I have the audacity to champion here to-day. Senator Edmunds declared, in closing the debate, that the Pacific Mail Steamship Company had driven all competition from the Pacific Ocean, and now stood like a highwayman holding the Government by the throat; and he said "I suppose we must stand and deliver."

I have here a communication from the Commissioner of Navigation, in answer to an application I made to know from him what would be the subsidy under this bill to the Pacific Mail Steamship Company, which is now building at the Cramp yards two new steamships of 17 knots an hour speed and 10,000 tons burthen; and, without having it read—I will insert it in my remarks—I will state, and dismiss it with the statement, that this company will receive \$550,000 a year on the vessels they now have and the

two new vessels which they are now constructing in the ship yards I have named.

TREASURY DEPARTMENT, BUREAU OF NAVIGATION,
Washington, December 10, 1900.

SIR: Replying to your letter of even date, in which you request me to send you at once a statement of the number of ships belonging to the Pacific Mail Company of American register, together with their tonnage and the subsidy they will receive under the pending Senate bill 727, I inclose a statement showing the gross tonnage of such steamships—41,259 gross tons—on the voyages made during the calendar year 1899, for which they would have received subsidy under S. 727 to the amount of \$157,252.

There are now building for this company at Newport News two steamships, the *Corea* and *Siberia*, estimated to be each of 11,300 gross tons. These vessels, on the voyages of which they will presumably be capable during twelve months, would receive \$423,412.

These statements of subsidies to be paid are on the assumption that the company would comply with the various requirements of the bill, as to carrying outward 50 per cent of the capacity of the vessels for carrying commercial cargo; that one-fourth of the crew of the vessels were American citizens; that the owners have contracted to build 25 per cent of new tonnage in the United States; that the vessels are classed as A1 by one of the principal classification societies; that the mails of the United States shall be carried free of charge, etc.

Respectfully,

EUGENE T. CHAMBERLAIN,
Commissioner.

The Hon. GEORGE G. VEST,
United States Senate.

The next poor, emaciated, starving corporation that will receive the subsidy under the provisions of this bill is the Standard Oil Company, trembling with emaciation, hungry for want of the necessities of life. Its stock at a par value of \$100 is worth in Wall street to-day \$800 a share; its annual dividends being 50 per cent. I addressed a communication to the Commissioner of Navigation to know how much subsidy this corporation would receive. He said he was unable to inform me, because he had applied to them for information as to the number of ships, and they would not answer him, but that there were 110,000 tons of oil or tank ships now under American register; and it is well known that all of them are controlled by the Standard Oil Company, which absolutely dominates the output of oil in this country, as completely as my brain directs my arm to-day. I saw in the paper the other day that this company had just finished at the Arthur Sewall shipyards in Maine a three-masted ship of 3,300 tons for the oil trade. Of the four oil lines that now go abroad from New York, the Standard Oil Company controls all. It is a mere matter of conjecture to say how much they will receive, but their vessels will come under the provisions of this bill.

What is the other interest that is to receive this subsidy?

Mr. FRYE. Will the Senator from Missouri pardon me for one moment?

Mr. VEST. Certainly.

Mr. FRYE. Nearly all of the Standard Oil Company tank vessels were built abroad. Under the terms of this bill, if they were admitted to an American register they would receive but one-quarter of the subsidy, and, in the opinion of the committee who had this in charge, none of them would ever apply for American register. They could not afford to do it—that is, they would lose money if they did do it. They receive but a quarter of the subsidy from the fact that they never take any incoming freight. The vessels are not calculated for that sort of business, and even if they were American they would receive only half subsidy, because they could not have returning freight.

Mr. VEST. Mr. President, they ought not to have any subsidy. A corporation like that does not deserve a dollar of the tax money of the people of the United States. It is the greatest monopoly in existence, and the wealthiest. When we are told that a poor man or a poor woman can not light his or her lamp at night without paying this corporation for the privilege, I think the doors of the Treasury ought to be closed to such an applicant.

Mr. FRYE. I understand, if the Senator will pardon me, that there is an amendment to be offered, which very likely will carry, excluding oil-tank vessels from the subsidy entirely.

Mr. VEST. I am glad to hear it. I shall vote for it with the greatest pleasure imaginable. I speak only from data furnished me by the Commissioner of Navigation. There are 110,000 tons of these tank or oil ships now on the register. While it is true they can not bring an incoming cargo, they can receive this quarter subsidy. I do not know about the ship that has recently been constructed—but they own several others—whether they can bring in cargoes or not.

Mr. FRYE. No; they can not.

Mr. VEST. At any rate, there are 110,000 tons now under registry in the United States, and they are entitled to one-half subsidy by the admission of the Senator from Maine.

Now, Mr. President, I was about to speak of the fourth interest under this bill, and that interest is that of the shipbuilders. I undertake to say to-day that there never has been a time in the halcyon days even of shipbuilding in Maine when the shipbuilders of the United States were in so prosperous a condition as now. They have orders three years ahead. We have built 40 naval war vessels in the last three years. We are now building more; and I saw an advertisement of a contract a month ago for 5 steel battle

ships and 6 cruisers, averaging \$4,000,000 apiece. I understand that when the naval appropriation bill reaches us it will contain a provision for 2 more of these steel-clad battle ships and 2 more steel-clad cruisers, which at the same price would amount in the aggregate to \$60,000,000. Mr. Cramp tells us that he can build vessels cheaper in the United States to-day than they can be built abroad.

Mr. FRYE. Will the Senator please repeat his last remark?

Mr. VEST. Mr. Cramp says he can build vessels cheaper in the United States.

Mr. FRYE. Merchant vessels?

Mr. VEST. Any sort of vessels, he says, except that he qualifies it as to the construction of these tramps, because he says our workmen are so much superior to those of England that they could not degrade themselves by building such a ship.

Mr. FRYE. I simply desire to say that I have a letter here from Mr. Cramp which does not make any such statement as that; on the contrary, just the opposite.

Mr. VEST. I have his article published in 1892 in the North American Review, stating emphatically and distinctly what I have said here. And he says more than that. He says in ten years the Englishmen will be asking in London and Liverpool: "Why can we not build ships as cheaply as the Americans?"

Mr. PETTIGREW. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from South Dakota?

Mr. VEST. Certainly.

Mr. PETTIGREW. James J. Hill, of the Great Northern road, is building two of the greatest ships ever built in this country, and he is building them here because he says he can build them cheaper than he can have them built in any other country in the world.

Mr. VEST. Yes; I stated that a moment ago.

Mr. PETTIGREW. I did not understand the Senator.

Mr. VEST. Mr. President, I was about to state what the President of the United States said in 1899 to the Chicago Board of Trade. He congratulated the country upon the condition of the shipbuilding interest, and said it was more prosperous than it ever had been in twenty years. He said that in 1898 we had built 100,000 tons of steamships for the foreign and coastwise trade, and that in a few years, with the development of our steel and iron industry, we would be able to compete successfully with England or any other nation in the world.

All authority that is worth noticing, not interested in the subsidies provided in this bill (and Mr. Cramp was not interested at the time he wrote that article for the North American Review in 1892), is to the effect that under present conditions we are fast reaching a point when we can not only compete with but excel the English in the construction of steel and iron vessels.

I know, Mr. President, the influences that are behind this bill and that are pressing it. It is said to be in the interest of cheaper freight for agricultural exports. Let us examine the question, for it is one in which I am exceedingly interested, as representing one of the largest agricultural States in the Union. The great desideratum with the farmers of the country is to decrease their freight by land and ocean, for every cent put upon transportation is a tax directly upon the producer.

Now, look at the provisions of this bill in regard to cargo. Every subsidized vessel before it clears from an American port shall have 50 per cent of its commercial cargo capacity in freight. When it comes to these greyhounds of the ocean belonging to the American lines, the provision as to the entire gross tonnage, which amounts in those cases to over 11,000 tons, is that the space occupied by mail, engines, and passengers shall be deducted from the gross tonnage, and one-half of the difference, which would amount in those cases to about 1,700 tons, shall be filled with cargo; and that entitles them to the subsidy they receive.

Now, mark, Mr. President, the provision that accompanies this: "But all space which may be leased for any length of time shall be counted as if it were filled with cargo." This provision applies to all freight vessels, and there is no limitation, so that a vessel can go out empty as to cargo, provided it has leased out its space, which is a direct violation of the law of common carriers.

That law provides that freighters or shippers shall be entitled to space or cargo room in the order in which they shall apply to the vessel; that no monopoly shall be created in favor of any company or individual. Yet here is a provision which enables one of these vessels to go out absolutely in ballast and make the trip empty, coming and going, and yet draw its subsidy from the Treasury of the United States.

But we are met with the familiar argument that the cargo taken in these greyhounds is more valuable than that in an ordinary freight vessel, and as they sail at stated times they ought to receive this enormous bounty from the United States. Mr. President, I shall not go into detail as to these cargoes. I ask permission to insert a statement as to cargo and as to the difference in expenses in running under the American flag and foreign flags,

and the difference in the cost of construction, taken from the report of the minority in the House of Representatives. It is a carefully prepared statement, which I believe to be absolutely correct, and even below the exact truth.

The PRESIDING OFFICER. The request will be granted without objection.

The statement referred to is as follows:

COST OF BUILDING SHIPS.

The increased cost in this country of building ships and of maintaining and operating ships is put forward very prominently among the reasons for assistance to the shipping industry. Upon the question of the comparative cost of American with foreign built ships there can be no better witness than Mr. Charles H. Cramp. In the North American Review of January, 1892, he said as to the fast ships:

"The proper form in which to put the question is: Can you build a ship to do the work of the *City of New York* or the *Majestic* or the *Columbia* in all respects for the same cost? To that question I would reply: 'Yes; or within as small a margin as would be likely to prevail in a similar case between any two British shipyards.' * * *

"It is the fact that the 'first cost' of ships is not only not a prime factor, but it is not even a serious factor, in any competition that may occur between this country and Great Britain for a share of the traffic of the ocean. * * *

"American shipyards have built or are building about 40 naval vessels of numerous rates and types, all of the very highest and effective class in the world; and this development has been crowded into a space of about seven years. * * *

"The disparity of cost of naval ships between our yards and those of Great Britain, ton for ton, gun for gun, and performance for performance, has dwindled in seven years until, in the case of the three latest battle ships, the margin between our classes and those of similar construction abroad may be expressed by a very small figure. * * *

"If the current policy of naval reconstruction be pursued for another decade (1902), coupled with a vigorous and consistent execution of the measures recently enacted in behalf of the merchant marine, the question which forms the subject of this paper will be asked no more; unless, indeed, its point should be reversed and Englishmen be asking one another, Can we build ships as economically as they can in the United States?"

We reach the conclusion, therefore, through the testimony of the greatest shipbuilder in the United States, that the cost of the first-class ship, which receives nearly all the subsidy under this bill, is no greater than that of a similar ship built in England.

In the same article Mr. Cramp says as to the tramp ship, which receives very little subsidy under this bill:

"Put the plans and specifications of the average English tramp in the hands of an American shipbuilder, and he could not duplicate her. He would build a better vessel, of superior workmanship and neater finish in every respect; for the reason, to put it broadly, that the mechanics who make up an American shipyard organization are trained to a grade of performance which they could not reduce to the standard of tramp construction."

"Under these circumstances this branch of the subject may be dismissed summarily, with the statement that an English freight ship of the usual type could not be duplicated in this country at any cost. Whether our superior standard in vessels of this class is an advantage or a disadvantage in competition, I will not attempt to decide."

If we consider this expert testimony, we are forced to the conclusion, by taking it in connection with the bill under consideration, that we are asked to give most subsidy to the ships that need it least and least subsidy to the ships that need it most.

A recent article by George Wenllesse, in the Grande Revue, quoted in Consular Reports, March 3, 1900, says:

"Gradually the Americans are pushing their way into the British colonies. The last railroad built in India has American rails. American manufacturers export their iron and motors, their machinery, and galvanic wires to Cape Colony. Egypt, too, has Philadelphia bridge builders on the scene. Three hundred railroad coaches have found their way from Jersey City into the land of the Pharaohs, and electrical tramways are forged in the foundries of Pittsburg to connect Cairo with the Pyramids. Even Europe is not safe against the invasion of American goods. Russia, France, Germany, and Italy must pay tribute. England herself buys American locomotives, steel rails, paper ware, railroad coaches, and even coal. Sheffield, the home of the steel industry, has been dethroned by Pittsburg. It would be frivolity to remain indifferent to the expansion of this levianthian people."

Further on in the same article Mr. Wenllesse makes this striking statement: "To-day ships may be built at Bath, San Francisco, Philadelphia, Wilmington, Chester, and Newport News as cheaply as anywhere in the world."

We remember very well that a few years ago the shipbuilding industry claimed that if it had free raw materials it could compete with the world. The raw materials were placed upon the free list, and the same men who said they would be satisfied with this special favor are now clamoring for the subsidy provided in this bill. The locomotive industry, very similar in its nature, has been given no such protection, and yet the locomotive industry has increased its export trade throughout the world.

In the additional plea for assistance, which they are now making, the shipbuilding people are begging greater advantage than has ever been given to any industry, seeing that they have for years already had free trade in their favor upon every item of which ships are made and upon every item needed to run ships, and, in addition to this, that they get most of their crews by hiring foreign labor in foreign ports. They have free trade upon what they buy and high protection upon what they sell, and yet they clamor for millions of subsidy. The unfairness of their demand is emphasized by the history of legislation in which they have been concerned.

In 1869 a committee was appointed by the House to investigate the cause of the decline of shipping interests. Sessions were held and testimony taken in all parts of the country. A report was made in favor of subsidy. The demand for it, however, did not come from the shipbuilders. Note the statements made by John Roach and Charles H. Cramp. Upon the causes of the decline in American shipbuilding Mr. Roach said:

"America has lost her commerce, and what has she obtained in exchange for it? Simply the right of a few men to charge \$9 per ton, in gold, on the importation of pig iron. Pig iron is the basis of all other metals connected with the making and repairing of ships. There has been a revolution in shipbuilding, and iron is the material from which they are now built. The high cost of iron produced by the tariff upon it is one of the principal difficulties our commerce has to contend with. I did not come here to ask a bounty. I came here to tell you that, while all other articles of American produce are protected to a great extent, there is no protection for American ships. If Congress will take off all the duties from American iron, reducing it to the price of foreign iron, then we are prepared to compete with foreign shipbuilders. The labor question is misstated. We are prepared to meet that difficulty and to ask no further legislation on the subject."

In reply to a question by Mr. Morrill as to the average rate of duty on materials entering into the construction of ships Mr. Cramp said:

"About 40 per cent; and if our shipbuilders could be relieved from that, they could compete successfully with foreign builders. The difference in the cost of labor would be overcome by the superiority of American mechanics."

The Commissioner of Navigation says, in 1899:

"Everything needed in building and equipping in the United States a ship for the foreign trade or for trade between the Atlantic and Pacific coasts of the United States is now admitted free of duty and has been so admitted for some years. Congress began the policy of free materials for shipbuilding for the foreign trade in 1872 and has steadily pursued and expanded that policy."

"Finally, by sections 7 and 8 of the tariff act of August 15, 1894, which are repeated in sections 12 and 13 of the tariff act of July 24, 1897, the free list was extended to include all materials."

"A like policy has been followed in regard to ships (supplies). (Section 16 of the act of June 26, 1884, Stat. I, vol. 23.)"

"All articles of foreign production needed and actually withdrawn from bonded warehouses for supplies, not including equipment, of vessels of the United States engaged in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, may be so withdrawn free of duty, under such regulations as the Secretary of the Treasury may prescribe."

"By section 16 of the tariff act of July 24, 1897, articles of domestic production when used as supplies for vessels of the United States, as described above, were exempted from internal-revenue taxes. The provision regarding coal is equally liberal."

In view of all these facts, it is passing strange that the beneficiaries of these special favors should continue to clamor for additional assistance.

COST OF OPERATING SHIPS.

The next point to consider is the difference in cost of operating a ship under the American flag and under a foreign flag. In comparing the cost of running a ship under the American flag with the cost of running a similar ship under the British flag, both in a regular service between the same or adjacent ports, we have to take into consideration the following items: 1, coal; 2, oil; 3, trimming of coal; 4, stowdoring; 5, food; 6, insurance; 7, port expenses; 8, wages of officers and crew.

(1 and 2) Coal and oil will be bought by both ships wherever it is best and cheapest. There is thus no difference as to these two items whether the ship is American or British.

(3 and 4) The cost of trimming coal and stowdoring cargo ought to show no difference. As a matter of fact, the American Line pays for stowdoring 45 cents per hour for sundry work in New York, while several of the British lines pay the regular wages fixed by the longshoremen's union, 60 cents per hour for the same work.

(5) People who have traveled by the White Star Line (British), Cunard Line (British), and American Line (American), and who are thus able to compare the feeding on the steamers of these different lines, will admit that the quality and quantity of food supplied are very similar on all of these steamers.

(6) On the insurance item there ought not to exist any difference either as far as the rate of insurance is concerned. Of course the amount insured may be higher in the case of an American-built ship if the recent statements of our shipping people are to be believed in preference to their statements of a few years ago. However, the higher amount to be paid on this item by the American shipowner is not on account of having his ship run under the American flag, but having it built in the United States. Consequently the amount insured on the many foreign-built ships which, in accordance with this subsidy bill, are to be transferred to American registry will not be affected by the mere fact of changing the flag.

(7) The port expenses ought to be less for American vessels, which do not pay tonnage taxes in the United States, whereas foreign ships clearing from British ports have to pay this considerable item. Port expenses in Great Britain are the same for British and non-British steamers.

(8) Wages of officers.—Here we note the following differences:

Fast American liner (St. Paul):	Fast Liverpool passenger liner (Campania):
Chief officer	Chief mate
Second officer	First officer
Third officer	Second officer
Fourth officer	Extra second officer
Chief engineer	Third officer
First assistant engineer	Fourth officer
Junior first assistant engineer	Chief engineer
Extra first assistant engineer	Senior second engineer
Senior second engineer	Second engineer
Junior second engineer	Senior third engineer
Senior third engineer	Third engineer
Junior third engineer	Senior fourth engineer
Fourth engineer	Fifth engineer
Total	Total

Total

This shows an immaterial difference of \$15 in favor of the British ship.

The crew wages are as follows:

Carpenter	Carpenter
Carpenter's mate	Joiner
Boatswain	Boatswain
Boatswain's mate	Boatswain's mate
Master at arms	Boatswain's mate
Sailors	Master at arms
Total	Sailors
	Total

In these wages we do not find any material difference either.

Stewards received the same amount on both the American and British ships—\$16.25.

In the engine room, however, the wages paid on the American ships are higher than those paid on the British ships:

Greasers	Greasers
Firemen	Firemen
Trimmers	Trimmers

If we take into consideration that the ships we are comparing at present have on board, say, 20 greasers, 50 firemen, and 50 trimmers, we arrive at the first difference of some consequence in favor of the British ship:

20 by \$10	\$200
50 by \$15	750
50 by \$7.50	375
Total	1,325

This would make a difference of \$15,900 a year, to equalize which the steamship *St. Paul* would receive a yearly subsidy of \$408,596.54.

In the hearings before the House Committee on the Merchant Marine and

Fisheries we find a statement made by Mr. Clyde on behalf of Mr. Griscom. It reads as follows:

"The sum that the American Lineships will get under the bill will be no more than sufficient to compensate their American owners for the addition in cost of furnishing ocean transportation with that type of ship as compared with furnishing it under the British or Norwegian or other foreign flag in the same type of ship."

We have seen that the only material differences between the cost of running an ocean liner under the American flag and the British flag are to be found in the wages paid the hands in the engine room. This difference does not amount to one-twentieth of the subsidy which the American ship would receive.

On the question of wages we quote the following from the Commissioner of Navigation (annual report, 1894):

"So far as able seamen are concerned, the actual competition to-day in trans-Atlantic and trans-Pacific trade is between American ships and British steamers, and a comparison of the wages paid on these two different classes of vessels will show only slight disparities in wages. Any comparison of monthly wages, therefore, unless accompanied by a full statement of all the conditions under which wages are paid and of the results attained, will be misleading."

"The statement is doubtless within bounds that the pay of officers and wages of crews in the case of no foreign steamship company exceed 30 per cent of the total operating expenses. They constitute substantially the same percentage of the cost of operating steamships, increased only by the higher pay of watch officers."

The editor of the *Coast Seaman's Journal*, the organ of the organized seamen of America, says:

"Wages are equal on the vessels of all nationalities when shipping crews in any given port. In other words, it is the 'rule of the port,' and not 'the flag of the ship,' that governs wages. The usual statistics on this subject are grossly misleading."

"A change of flag to the American," says Shipping Commissioner King, of Philadelphia, "involves no increased expense either in crew's or officers' wages."

Says Mr. Chamberlain, the present Commissioner of Navigation:

"The difference between American and foreign rates of wages can be, and in fact is, overcome by shipping crews in foreign ports for the round trip."

Section 4519 of the Revised Statutes says:

"Every master of a vessel in the foreign trade may engage any seaman at any port out of the United States to serve for one or more round trips from and to the port of departure or for a definite time, whatever the destination."

And while the vessels under postal contract with the United States Government must hire American citizens to the extent of half their crews, the vessels of the American Line, according to Shipping Commissioner Dicky, of New York, "hire most of their men in Southampton, England, as all other vessels are at liberty to do."

Says the Commissioner of Navigation, Mr. Chamberlain, in his report, 1894:

"Unlike the manufacturer on land, whose labor market is, to a degree at least, restricted, the shipowner is at liberty to employ labor in any market where, on account of its abundance, its quality, or its cost, he finds it for his advantage to do so."

"The laws do not require American shipowners to obtain their crews in American ports, nor, so far as ascertained, do the laws of any other maritime nation require its shipowners to obtain their crews in national ports."

"Under normal conditions the crews of American steamships would be shipped in domestic ports, but an entirely abnormal state of affairs has been brought about by our continued failure to adjust our laws to current conditions. Reference to the reports of shipping commissioners and consuls show that only a small part of the crews of the *Indiana*, *Illinois*, *Pennsylvania*, and *Ohio*, and of the Pacific Mail steamships in Asiatic trade are shipped at New York, Philadelphia, and San Francisco, about four-fifths of their crews being shipped at Liverpool, Antwerp, and Hongkong."

BULK OF SUBSIDY WILL GO TO PASSENGER SHIPS, WHICH CARRY BUT LITTLE CARGO AND PRACTICALLY NO FARM PRODUCTS.

Not only are the rates of subsidy twice as high for swift passenger steamers as for ordinary freighters, but, as will appear from an examination of the amounts of subsidy which would go to various steamships and lines, the passenger steamers, at least for the first few years, would get considerably more than half of all the subsidy given, and yet the passenger steamers do not carry more than about 10 per cent of our total exports and less than 5 per cent of our agricultural exports.

A careful examination of the manifests of passenger and freight steamers makes this statement apparent, and leads to the further conclusion that the swift passenger steamers carry mainly a high class of freight, composed largely of manufactured goods exported at prices considerably below those charged to American consumers. A comparison of the outgoing manifests of two swift passenger with those of two freight steamers follows.

The *St. Paul* is a swift passenger steamer of the American Line, with a gross tonnage of 11,629 tons.

The *Manhattan* is a freighter of the Atlantic Transport Company, with a gross tonnage of 8,004 tons and a speed of 14 knots.

From the outgoing manifests of the *St. Paul* for April 3, 1900, and of the *Manhattan* for December 16, 1899, we summarize the following as to the farm products carried by each:

	Manhattan.	St. Paul.
Bushels of corn	133,645	None.
Bags of corn	1,390	None.
Bushels of oats	50,325	None.
Sacks of oats	335	None.
Bales of hay	4,518	None.
Bales of straw	262	None.
Sacks of flour	11,532	2
Heads of cattle	800	None.
Live horses	106	None.
Boxes of hops	1,946	1
Boxes of cheese	1,551	1,050
White-oak staves	11,271	None.
White-oak boards	1,519	None.
Barrels of apples	464	102
Boxes of apples	None.	672
Hogsheads of tobacco	24	None.
Cases of tobacco	10	None.
Cases of eggs	200	None.
Bags of seed	212	2
Sacks of pears	125	99
Casks of tallow	441	None.
Cases of bacon	63	355
Quarters of beef	None.	2,796
Packages and crates of poultry	None.	1,547
Boxes, cases, etc., of meat, lard, oleomargarine, etc	None.	3,145

From these manifests it is evident that the *St. Paul* carried practically no farm products, unless lard, bacon, dressed beef, and canned meats. Including all such products, the *St. Paul* apparently carried only 500 or 600 tons of such freight.

The *Manhattan*, with a gross tonnage of about two-thirds that of the *St. Paul*, and which would get about two-fifths as much subsidy per trip as the *St. Paul*, carried of corn alone more than enough to fill the whole cargo capacity (3,500 tons) of the *St. Paul*. Of corn, oats, hay, cattle, and horses the *Manhattan* carried enough to fill the *St. Paul* twice. Of these distinctly farm products the *St. Paul* carried not a ton. Of the farm products and semimanufactured farm products the *Manhattan* appears to have carried at least fifteen times as many tons as did the *St. Paul*; that is, per ton of farm products carried (concerning which this bill professes such concern) the *St. Paul* would get thirty-seven times as much subsidy as would the *Manhattan*.

The *St. Louis* is a swift passenger steamer of the American Line, with a gross tonnage of 11,629 tons.

The *Georgic* is a freight steamer of 10,077 gross tons and 13 knots speed. She belongs to the White Star Line.

A comparison of the outgoing manifests of the *Georgic* for March 13, 1900, and of the *St. Louis* for February 20, 1900, as to the farm products carried, gives the following results:

	Georgic.	St. Louis.
Bushels of corn	85,418	None.
Bushels of oats	6,900	None.
Pounds of hay	117,200	None.
Pounds of straw	12,005	None.
Barrels of flour	355	None.
Head of cattle	919	None.
Horses	127	None.
Bushels of wheat	39,917	None.
Bales of cotton	10,936	None.
Bushels of barley	9,659	None.
Boxes and cases of cheese	571	347
Boxes and cases of bacon	1,624	1,162
Packages of lard	5,506	4,250
Barrels of oil cake	783	None.
Quarters of beef	6,661	3,871
Boxes of pork	4,306	None.
Bundles of shoosks	832	None.
Barrels of tongues	30	10
Tierces of feet	16	None.
Tierces of tallow	250	None.
Boxes of mutton	131	None.
Cases of wood	648	None.
Boxes of hams	123	12
Tierces of bacon	58	None.
Cases of eggs	None.	1,300
Boxes of bacon and hams	None.	902

Thus the *St. Louis* carried no real farm products and only about 400 tons of partly manufactured farm products, of which dressed beef is the principal item.

The *Georgic*, with a gross tonnage considerably less than that of the *St. Louis*, and which would get only one-half as much subsidy per trip, carried of raw farm products—corn, hay, oats, straw, cattle, horses, wheat, cotton, and barley—about 7,000 tons, or enough to fill the *St. Louis* twice. Of these products the *St. Louis* did not carry a ton.

Of farm products and semimanufactured farm products the *Georgic* appears to have carried at least twenty times as many tons as did the *St. Louis*. Or of farm products carried the *St. Louis* would receive about forty times as much subsidy as would the *Georgic*.

Mr. VEST. These details, those prepared by the Commissioner of Navigation and those in the report from the House of Representatives, show that the principal part of the cargo in these swift-sailing vessels or greyhounds of the ocean is dressed beef, eggs, butter, cheese, and a few California fruits, but the principal part of the cargo is dressed beef. Now, how does that benefit the farmer? This dressed beef belongs to the great Chicago trust, which controls the price of every head of cattle and every pound of beef sold in the United States.

I happened a few years ago to be chairman of the Committee on the Transportation and Sale of Meat Products, and spent a summer of hard work in investigating the question as to the extent of this trust and its methods. The testimony we took, comprising six hundred and odd pages, can be found in the document room of the Senate, unless the edition be exhausted, and the report that I prepared, after taking that testimony. We found that this trust, composed of Armour & Co., Nelson Morris, and Swift, had absolute control of the meat market and cattle market of the United States and fixed the prices to the cattle producer and the beef consumer. Mr. Armour himself admitted, when I examined him in the Commerce Committee room as a witness, that his chief manager had instructed his agents, if a butcher in Akron, Ohio, or in Pennsylvania refused to buy dressed beef from the Chicago trust, to put up shops on each side of him and give away the beef until they starved him into compliance.

The testimony shows that in the case of beef sold here under the shadow of the Capitol in the District of Columbia, when contracts for hospitals and other eleemosynary institutions under the control of the Government were given out to the lowest and best bidder, that all three of the firms would bid and shut out competition, and after the award had been made to one of them they then divided the contract in alternate months, so that it was impossible for an ordinary butcher with ordinary means to compete at all with this mammoth syndicate.

Now, Mr. President, their chief product, dressed beef, is to go abroad in these fast liners under an enormous bounty, under pretense of benefiting the cattle raisers of the country whom this syndicate is daily robbing.

But, more than that, our committee ascertained when we got to New York that the cattle ships, of which there were then three lines (I believe there are four or five to-day), were in the habit of leasing out their space for six months in the year in advance. These cattle ships do not carry beef by the head or the pound, but by the space, and when a cattle raiser from the West came and applied for space to send his beef to England or Belgium, he was met with the reply, "All room is engaged for six months or twelve months in advance, sir." When we enforced the attendance of these cattle-ship owners and asked them why they made those contracts, the only excuse they could give was that the employees of the cattle owners, if they carried the cattle for more than one owner, would fight and quarrel on the voyage and give them trouble in managing the ship.

So gross and outrageous was this monopoly in violation of the law of common carriers that our committee reported a bill which I will ask the Secretary to read. That bill passed the Senate and went to the House of Representatives, and there encountered the beef trust and died.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

A bill to prohibit monopoly in the transportation of cattle to foreign countries.

Be it enacted, etc., That no clearance shall be granted to any vessel plying as a common carrier of cattle from the United States to a foreign country the owners agents, or officers of which shall refuse to receive in the order they may be offered (said vessel having storage room for the same not already contracted for in good faith by persons or parties having cattle for transportation at the date of such contract sufficient to occupy such storage room), any cattle for transportation to a foreign country, the said cattle being in sound condition suitable for transportation, and the shipper tendering the reasonable freight therefor; or who shall make any contract or agreement creating a monopoly of the capacity of said vessel for carrying cattle in violation of the law governing and regulating the duties and obligations of common carriers to the public and prohibiting unjust discrimination between shippers.

SEC. 2. That any person injured by reason of the violation of the preceding section by any common carrier may recover damages therefrom in any circuit court of the United States within whose jurisdiction the acts complained of may be committed, together with a reasonable attorney's fee when the judgment shall be for plaintiff, to be fixed by the court and taxed as costs.

Mr. VEST. Now, Mr. President, under the provisions of this bill these cattle ships come in for a portion of the subsidy, depending, of course, upon the voyages they make and the amount of tonnage, and here is a provision absolutely legalizing these illegal contracts. Every inch of cargo room, under the provisions of this bill, can be monopolized, and notwithstanding the fact that this practice obtains and is continued from day to day, the multimillionaires who control this whole cattle business being able to take possession in advance of all this cargo room, the tax money of my constituents, who are suffering from this practice, is to be taken in order to further enrich these people.

We are told, Mr. President, that unless we subsidize our ships as England does it will be impossible for us to compete with her. I deny absolutely that England subsidizes any ships within the meaning of this proposed law. England pays increased mail pay, large mail pay, because her vast colonial system necessitates such an arrangement. Thirty-five million of Englishmen hold over 225,000,000 of colonial subjects, and it is absolutely imperative that they should be in daily and almost hourly communication with their distant colonies for social, financial, and military purposes.

The Commissioner of Navigation investigated this question thoroughly before he had that wonderful revelation which changed him over to the subsidy side. Like Saul of Tarsus he had a vision, but it was not a celestial vision like that which came to the great apostle of the gentiles. He had a vision, or a light rather, from the White House, and he heard a voice saying, "Come, come with us, and we will do thee good," and he went. I have here what he said before he fell under the seductive influence of my friend from Maine. I will ask the Secretary to read it, late as it is.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

[Report of Commissioner of Navigation for 1894, page xx.]

The object of the British Government in paying steamship companies to carry foreign mail is to secure the quickest, surest, and cheapest mail communication for British merchants with all parts of the globe. To attain this end it does not hesitate to withdraw its payments to British steamship companies and transfer them to foreign railroads. The theory that the encouragement of British navigation is the purpose of British mail compensation will not stand before the fact that French and Italian railways are utilized as far as possible for the mail service, and that recent and undeveloped plans for a trans-Atlantic service to Canada are based on the possibility of partially substituting the Canadian Pacific Railway for the Suez Canal as an important link in the mail connection between Great Britain, China, Japan, and Australia. Any impression that the ocean-mail payments of Great Britain are so large as to become bounties will be modified by a reference to the payments of the United States and Great Britain, respectively, for trans-Atlantic mail service last year, as stated by the Postmasters-General of the United States and Great Britain in Appendix K.

Encouragement to navigation has only been incidental and secondary to political and commercial considerations, and, as indicated, where circumstances permit it is being withdrawn and arrangements with the railroads of France, Italy, Canada, and the United States are in part taking its place. The percentage of payments to steamship lines to the entire cost of transporting British mails is steadily decreasing.

But the sufficient facts to demonstrate that Great Britain does not subsidize shipping in the sense in which the word is used in the United States are that the profit of the mail lines do not average higher than those of merchant lines, that the stock quotations of one class of securities are not higher than the other, and, finally, that barely 3 per cent of the British mercantile marine receives public funds in any form.

Mr. VEST. Now, Mr. President, I only wish to supplement that very convincing statement of the Commissioner of Navigation, one of the committee of twenty-five, with an additional observation, and that is that Great Britain commands more than one-half of the carrying trade of the world with her tramp iron ships, which are seen in every part of the world and never have received and never will receive one cent of subsidy from the English Government. The ships that dominate the ocean with the British flag are unsubsidized and always have been.

The Senators from Maine and Ohio speak of \$500,000 a day being paid by us for carrying our exports abroad and bringing our imports home, but they overlook the fact that a large portion of this money is spent for supplies in American ports and on port dues, and that 300,000 tons of foreign shipping, according to the report of the Commissioner of Navigation, are held now by American citizens who, under these navigation laws, have been forced to put their money under a foreign flag—300,000 tons coerced under foreign flags by the operation of these darling navigation laws, which New England hugs to her bosom like a mother embracing her first-born babe.

But again, Mr. President, I object to the subsidies in this bill not only because they are unconstitutional and unequal and unjust, but they will not do what the proposers of this measure pretend. Every country that enters upon the system of subsidies must be prepared to increase them or at least to maintain them for an indefinite period. You might as well expect a man addicted to the morphia or alcohol habit to consent to a diminution of the poison as for any subsidized interest to give up any portion of the plunder allotted to it by legislation. No country in the world has ever been able under a decreasing subsidy to maintain any interest, no matter what.

I will take the liberty now of quoting again from a member of the committee—the Commissioner of Navigation—and I will ask the Secretary to read it.

The Secretary read as follows:

[Report of the Commissioner of Navigation for 1894, page xxi.]

The results of nine years' trial of a complete bounty system in France, involving an expenditure of \$19,000,000, and of seven years' trial of a similar system in Italy, at an expense of \$5,500,000, are stated in Appendix K. The meager results attained in both countries warrant the statement that the nation which enters upon this system of building up a merchant marine with the expectation of success must do so with a free hand and no care for the cost. It must be prepared to spend not \$1,000,000 or \$2,000,000 a year, but several times that sum annually for a long period. That by a sufficiently large and continuous expenditure of public money shipyards can be established successfully in any country does not admit of question. It is not deemed necessary to consider here the propriety of that course as a matter of public policy or its desirability from the economic point of view. Those nations which have made the attempt have not succeeded, confessedly for the reason that their expenditures were not large enough.

In France and Italy the advocates of the system maintain that if the construction bounties had not been paid for some years past shipbuilding would have shrunk to insignificant proportions. The practical difficulty in the way of the establishment of a bounty system is that if the distribution of public funds is made general an expense is entailed greater than a people taxed for the purpose will long endure, while if the favor is extended to but few, it operates as a discrimination against other domestic interests in navigation, and in effect builds up part of the interest at the expense of the whole interest. The experience of France and Italy demonstrates that the shipowners of both countries find it more to their profit to buy ships in the cheapest market than to avail themselves of government bounties conditioned upon the purchase of higher-priced domestic shipping. Had this alternative not been open to them, the French and Italian flags would doubtless have disappeared from the seas, and French and Italian shipowners would have resorted to the use of the British flag, as is the custom, under our registry law, of the leading shipowners in trans-Atlantic trade.

Mr. VEST. Now, Mr. President, let us examine briefly the provisions of this bill as to the effect that bounties will have upon the merchant marine of the country. After ten years no contracts for bounties can be made by the Secretary of the Treasury, and therefore not a single ship will be built in the United States or be applied for by Americans abroad to come upon American registry and under our flag. The man who would build a ship and put it under our flag to compete with subsidized ships of equal capacity, when he receives no subsidy from the Government, would be considered a lunatic by any intelligent business man. He enters into the struggle handicapped by the fact that his competitor is paid and fed by the bounty of the Government. That proposition is self-evident.

But the mischief does not stop there. We are told by the Commissioner of Navigation that in three years from the passage of this bill the \$9,000,000 limit will have been reached, then the grading process under the provisions of the law must commence, and the amount paid to every vessel must be cut down. In three years—I undertake to say it will be in a much shorter period—but whenever it commences there will be no more vessels brought in under the registry of the United States.

More than that, Mr. President—and I do not want to assume

the rôle of Cassandra and be taunted as a pessimist—I am warranted in the statement that the immense corporations, which are the principal beneficiaries, with unlimited capital and unparalleled business enterprise, will almost immediately constitute themselves into a syndicate or trust, as it is generally termed, and put enough of their own vessels under the flag of the United States to avail themselves of the provisions of this law and shut out all competitors.

The Senator from Ohio [Mr. HANNA] drew an eloquent picture of the vast increase of shipping upon the Great Lakes, and he ascribed it to the navigation laws and to the improvement of rivers and harbors. I saw the other day a statement in a Chicago newspaper, and it was repeated in a New York newspaper, that a syndicate has just been perfected under the laws of New Jersey which made a gigantic trust of every shipyard on the lakes, shutting out all competitors. In three days afterwards a New York newspaper published the announcement that another trust or syndicate was being formed to embrace all the shipyards upon the Atlantic and Pacific seaboard, and that three of the largest of these shipyards, including that of the Huntington estate at Newport News, had already given options to a syndicate. Seligman & Co., the great Hebrew bankers and brokers, were said to be the promoters of this enterprise, and the reporter of the New York Herald called upon the senior member of the firm to know what truth there was in the statement. He said it was true they had commenced such an enterprise, and twenty millions had been subscribed to it, but they were not yet prepared to give the details to the public.

Everything in the country, from the cradle to the grave, is under a trust. The brood of trusts hovers over the land like birds of prey, and there seems to be no hope, no redress, from their inevitable grasp.

The House of Representatives during the last session passed a bill making more drastic the provisions of the trust law, known as the Sherman anti-trust law. That bill passed the House with one dissenting vote. It came to the Senate, our Republican friends by a party vote referred it to the Committee on the Judiciary, and they then assured us positively and emphatically that the first business at this session would be the passage of that bill. But it sleeps the sleep of death in the pigeonhole of the room of the Judiciary Committee, and never will be heard of again. This Congress will end and another season of riotous plunder will be given to these syndicates. The Republican party could not afford to attack them on the eve of the last canvass, for they wanted funds for campaign purposes and they dared not put up the black flag in the face of their pecuniary auxiliaries. Now, out of gratitude, I suppose, they will pretermit any legislation against them hereafter. So we are warranted in saying, without being charged with being critical or unjust, that the money of the capitalists engaged in railroad and steamship lines, dominating the business of the country on land and sea, will be applied for the purpose of securing the subsidies granted by this proposed legislation.

I ask to have inserted—I do not want it read—the evidence of the Commissioner of Navigation as to the reason why our sailors have decreased in numbers, and I put this in to answer the statement of the Senator from Maine that it is absolutely necessary to grant these subsidies in order to find sailors for the merchant marine and the naval vessels of the United States.

Mr. CHANDLER. May I ask the Senator to what Commissioner of Navigation he refers? Who then filled the office of Commissioner of Navigation?

Mr. VEST. The same gentleman who has filled it since 1893—Mr. Chamberlain—and he is the only gentleman I have had anything to do with in that office.

The paper referred to is as follows:

[Report of the Commissioner of Navigation for 1894, page xxvii.]

Undoubtedly the gravest consequence of our failure to bring our navigation laws into harmony with the requirements of ocean transportation is the loss of Americans to man our vessels. For some years the American deep-sea sailor has seen the field of his employment steadily shrinking. The larger cargoes and quicker time of freight steamers under foreign flags have so reduced the cost of transportation that American sailing vessels have not been able to compete with them. No steps to supply our navigation with these cargo steamers have been taken. Cost of construction in this country has been so much greater than abroad that it has not been possible to build at home freight steamers to compete for the trans-Atlantic trade, while the registry law has discouraged their purchase abroad by refusing American registers to vessels thus purchased. Our own laws have thus taught their owners to look upon such vessels as foreign property, and have taught American seamen to regard their decks and holds as natural places of employment for foreign sailors. The discouragement of yearly narrowing chances for employment at sea, and the inducements on land which our remarkable internal development has afforded, have almost extinguished the race of American seamen. It will be relatively an easy matter to bring our merchant fleet up to its former rank on the seas. The passage of the "free ship bill," popularly so called, will effect that result within a few years; but a generation may be required to obtain a personnel for our merchant fleet comparable in numbers, citizenship, and quality to the officers and men in merchant service at the time wood and sail were distanced by iron and steam.

Mr. VEST. Mr. President, we have lost our merchant marine because we would not allow our people to buy ships where they could buy them cheapest. If the ships had been ours, the trade

would have been ours and the sailors would have been ours. As stated in this communication, by refusing to allow our people to buy foreign ships when they could afford to buy them we have discouraged the citizens of the United States from entering the merchant marine, and our sailors have come to look upon all ships as foreign ships.

The Senator from Maine makes a calculation as to the difference in expense of running ships which is palpably incorrect. He estimates, for instance, the cost of the *St. Louis* at \$3,550,000, and then counts interest at 6 per cent upon the \$550,000, which is the excess of cost in the United States over that charged abroad. I deny that that difference exists to-day. I assert that we can build a ship of the class of the *St. Louis* as cheaply here as it can be built abroad, and I make that statement on the authority of Mr. Cramp.

More than that, the Senator in his calculation counts 1½ per cent interest upon the whole cost of the vessel, alleging that you can borrow money abroad at 3½ per cent, and that you can not obtain it in the United States for less than 6 per cent. Every intelligent man, whether he be an expert in business or not, knows that all the money necessary for a legitimate enterprise, with such security as the American Navigation Company can offer, can be obtained in the United States at from 3 to 3½ per cent. You can not loan money in the city of Washington to-day upon gilt-edge security for more than 3½ or 4 per cent. Our banks are full of money ready to be loaned at that rate, men are hunting for investments, interest is continually going down, and yet the Senator from Maine puts in that calculation at 6 per cent in the United States and 3½ per cent abroad.

But I do not care to pursue this discussion further. This bill will pass the Senate. It is a part of the great protective system which is sacred to the Republican party. Drunk with victory and under the belief, as they seem to be, that conditions will remain as they are, the Republican party seems determined to stop at nothing. The glamour of foreign conquest and the abundance of money produced by the recent enormous discoveries of gold have rendered them reckless as to consequences.

Mr. President, the man who does not know that in a republic based on universal suffrage there must be a change from year to year, or if not from year to year from decade to decade, is unfit for public position. I remember in 1872, when the Democratic party attempted to commit suicide by nominating Horace Greeley for President, I was a member of the Baltimore convention and resisted his nomination; but the Southern States insisted upon it in order to convince the Northern people that they had really surrendered. Greeley was nominated, and he met with disastrous and overwhelming defeat.

I well recollect that in 1873 Democrats abandoned us by the thousand, and even Democratic newspapers prophesied that the old party was dead and it only remained to dig the grave and inter the corpse. In 1874 the dead party came forth from the tomb like Lazarus, elected a majority of the governors of States of the whole Union, including William Allen as governor of Ohio, carried the House of Representatives by a large majority, and in 1876 elected Tilden, although he was tricked out of his just rights as the elected President of the country. In 1879, when I took my oath for the first time as a member of this body, we had 8 majority in the Senate and elected Allen G. Thurman President pro tempore. In 1880 Hancock was defeated, but at the next Presidential election Cleveland was elected, defeated in 1888, and swept the country by a tremendous majority in 1892. Then came the unfortunate dissension over the coinage of silver, which alienated a large portion of the Democratic party from our standard and caused the defeat of the Democratic candidate in 1896.

Mr. President, optimists who believe that present conditions will always obtain in these United States have not read the political history of this country. I commend to them these brief reminiscences and those prophetic words of Longfellow:

The wind blows east and the wind blows west,
And the blue eggs in the robin's nest
Will soon have wings and beak and breast,
And flutter and fly away.

INDIAN APPROPRIATION BILL.

Mr. THURSTON. I wish to give notice that to-morrow morning after the close of the routine business, if opportunity presents, I shall ask the Senate to take up the Indian appropriation bill, and proceed with it until 2 o'clock.

EXECUTIVE SESSION.

Mr. FAIRBANKS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 24, 1901, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 23, 1901.

PROMOTIONS IN THE NAVY.

Ensign Edward Everett Hayden, United States Navy, retired, to be a lieutenant on the active list of the Navy, subject to the examinations required by law, as of the date of May 1, 1895, to take rank next after Lieut. John Hood, United States Navy.

Lieut. James H. Glennon, to be a lieutenant-commander in the Navy, from the 22d day of January, 1901, vice Lieut. Commander Edward R. Freeman, retired.

P. A. Surg. Will F. Arnold, to be a surgeon in the Navy, from the 22d day of January, 1900, vice Surg. Daniel N. Bertolette, promoted.

P. A. Paymaster Harry E. Biscoe, to be a paymaster in the Navy, from the 13th day of January, 1901, vice Paymaster James E. Cann, promoted.

PROMOTIONS IN THE VOLUNTEER ARMY.

Fortieth Infantry.

First Lieut. Charles C. Pulis, Fortieth Infantry, to be captain, January 15, 1901, vice Marple, resigned.

Second Lieut. Burton J. Mitchell, Fortieth Infantry, to be first lieutenant, January 15, 1901, vice Pulis, promoted.

CONFIRMATION.

Executive nomination confirmed by the Senate January 23, 1901.

DISTRICT JUDGE.

Francis J. Wing, of Ohio, to be United States district judge for the northern district of Ohio, as provided for by act of Congress approved December 19, 1900.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 23, 1901.

The House met at 12 o'clock m.

The following prayer was offered by the Chaplain, Rev. HENRY N. COUDEN, D. D.:

O Lord God and Father of us all, Thou who reignest supreme, humbly we bow before Thee with unfeigned love and real gratitude for unnumbered and never-failing blessings. We thank Thee for the great, the good, the pure in high and lowly places who have lived and departed, leaving these testimonials behind them as an ensample and encouragement to the living.

To-day we are called upon as a nation by ties of kinship and brotherly love to sympathize, yea, mourn, with a sister nation, bereft of its sovereign, its well-beloved Queen, who, in a long, and in many respects a phenomenal reign, has endeared herself not only to her own, but to the people of the civilized world for the justice, equity, and purity of both her public and private life. A Queen on her throne, a Queen in her home, a Queen in the hearts of her people she will live. May the consolations of the Christian religion support and comfort a stricken people, and especially the immediate members of her family. Long live the new King. May the example of his illustrious mother guide him as a Christian man and a sovereign power. In the name of Christ the Lord. Amen.

The Journal of yesterday's proceedings was read and approved.

CHANGE OF REFERENCE.

The SPEAKER. On motion of the Committee on Appropriations, House Doc. 272, in regard to the International Bureau of the Permanent Court of Arbitration, the reference of that document will be changed from the Committee on Appropriations to the Committee on Foreign Affairs.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. GROUT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the District appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. GROSVENOR in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13575. The gentleman from Vermont.

Mr. GROUT. Mr. Chairman, I ask the Clerk to read.

The Clerk read as follows:

Street-sweeping office: For superintendent, \$2,500; assistant superintendent and clerk, \$1,000; chief clerk, \$1,000; 4 inspectors, at \$1,200 each; 10 inspectors, at \$1,100 each; 3 assistant inspectors, at \$800 each; foreman of public dumps, \$900; messenger and driver, \$600; in all, \$25,100.

Mr. KING. Mr. Chairman, I desire to ask the chairman of the committee—calling his attention to page 7, in the subdivision of street-sweeping office—whether all these inspectors therein provided for are deemed necessary? Four inspectors at \$1,200 each,